
THE
Statutes at Large,
FROM THE
Eighth to the Twelfth Year of Queen ANNE.

BY
DANBY PICKERING, of GRAY'S INN, Esq;

THE
Statutes at Large,

FROM THE,

Eighth to the Twelfth Year of Queen ANNE.

To which is prefixed,

A TABLE containing the TITLES of all the STATUTES
during that Period.

VOL. XII.

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CUM PRIVILEGIO.

TABLE of the STATUTES,

Containing the Titles of all such Acts as are extant in print,
from the Eighth to the Twelfth Year of Queen ANNE.

Anno 8 Anna.

- Cap. 1. **F**OR granting an aid to her Majesty, to be raised by a land tax in *Great Britain*, for the service of the year 1710.
- Cap. 2. To prohibit the exportation of corn, malt, meal, flour, bread, biscuit, and starch, and low wines, spirits, worts, and wash drawn from malted corn.
- Cap. 3. For charging and continuing the duties upon malt, mum, cyder, and perry, for the service of the year 1710.
- Cap. 4. For continuing part of the duties upon coals, culm, and cinders, and granting new duties upon houses having twenty windows or more, to raise the sum of 1,500,000*l.* by way of a lottery, for the service of the year 1710.
- Cap. 5. To continue the act for recruiting her Majesty's land forces and marines, for the service of the year 1710.
- Cap. 6. For employing the manufacturers, by encouraging the consumption of raw silk, and mohair yarn.
- Cap. 7. For granting to her Majesty new duties of excise, and upon several imported commodities, and for establishing a yearly fund there-
of, and by other ways and means, to raise 900,000*l.* by sale of annuities, and (in default thereof) by another lottery, for the service of the year 1710.
- Cap. 8. For clearing, preserving, and maintaining the harbour of *Cut-
tack*, near *Plymouth*, in the
county of *Devon*; and for the clean-
sing and keeping clean the pool,
commonly called *Sutton Pool*, lying
in *Plymouth* aforesaid.
- Cap. 9. For laying certain duties upon candles, and certain rates upon monies to be given with clerks and apprentices, towards raising her Majesty's supply for the service of the year 1710.
- Cap. 10. To continue the act for punishing mutiny and desertion, and for the better payment of the army and quarters.
- Cap. 11. To explain so much of the act for prohibiting the exportation of corn, malt, meal, flour, bread, biscuit, and starch, and low wines, spirits, worts, and wash drawn from malted corn; by which act the said commodities are admitted to be carried from the isle of *Hight* to several markets; and for giving liberty to export certain quantities of oatmeal, for the use of the *British* hospitals beyond the seas.
- Cap. 12. For making a convenient dock or basin at *Liverpool*, for the security of all ships trading to and from the said port of *Liverpool*.
- Cap. 13. For continuing several impositions, additional impositions, duty upon goods imported, to raise money by way of loan for the service of the year 1710. and for taking off the over-sea duty on coals exported in *British* bottoms; and for better preventing frauds in drawbacks upon certificate goods; and for ascertaining the duties of corns imported in *Venetian* ships; and

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and to give further time to foreign merchants for exportation of certain foreign goods imported; and to limit a time for prosecutions upon certain bonds given by merchants; and for continuing certain fees of the officers of the customs; and to prevent imbezilments by such officers; and for appropriating the monies granted to her Majesty; and for replacing monies paid or to be paid for making good any deficiencies on the annuity acts; and for encouragement to raise naval stores in her Majesty's plantations; and to give further time for registering debentures, as is therein mentioned.

Cap. 14. For the better security of rents, and to prevent frauds committed by tenants.

Cap. 15. For explaining and enlarging an act of the sixth year of her Majesty's reign, intituled, *An act for the security of her Majesty's person and government.*

Cap. 16. For discharging the attendance of noblemen, barons, and freeholders, upon the lords of judiciary in their circuits, in that part of *Great Britain* called *Scotland*; and for abolishing the method of exhibiting criminal informations by the porteous roll.

Cap. 17. For explaining and making more effectual an act for the better enabling the master, wardens, and assistants of *Trinity House* to rebuild the light house on the *Edystone* rock.

Cap. 18. To regulate the price and assize of bread.

Cap. 19. For the encouragement of learning, by vesting the copies of printed books in the authors or purchasers of such copies, during the times therein mentioned.

Cap. 20. For raising the militia for the year 1710, although the month's pay formerly advanced be not repaid.

Cap. 21. For vesting certain lands, tenements, and hereditaments, in trustees, for the better fortifying and securing the harbours and docks at *Portsmouth*, *Chatham*, and *Harwich*.

Private Acts.

Anno 8 Annæ.

1. An act to enable *Peyton Altham*, an infant, trustee, to join in suffering a common recovery or levying a fine of an estate in *Essex*, as if he were of full age.
2. An act for repairing the highways between the house commonly called the *Horsloe House*, in the parish of *Stoke Goldington*, in the county of *Bucks*, and the town of *Northampton*.
3. An act to enable *Peter Pettesworth*, esq; and the trustees in his marriage settlement, to sell certain lands and hereditaments, in the counties of *Southampton* and *Sussex*, for payment of his debts, and to settle another estate of greater yearly value, for the better provision of his family.
4. An act for making effectual the provisions intended by *William Hayward*, late of *Quedgley*, in the county of *Gloucester*, esq; deceased, for payment of his debts, and providing portions for his younger children.
5. An act for sale of several tenements in *Cheek Lane*, near *West Smithfield* (the estate of *James Brydges*, esq;) and for purchasing and settling other estates to the same uses.
6. An act for confirming and establishing a partition, made between *Edward Rigby*, gent. the honourable *Charles Egerton*, esq; and the honourable *Elizabeth* his wife, and others, of several manors and hereditaments in the county of *Essex*, heretofore the estate of the right honourable *Anne* late countess of *Oxford*.

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Oxford, deceased, and to enable *Margaret, Anne, and Katharine Lennox*, infants, to make partition of other lands and tenements, in the county of *Hertford*, and in *London*, other part of the said countess of *Oxford's* estate.

7. An act to vest in the said trustees to sell some out-parts of the estate, late of Sir *John Rolle*, Knight of the *Bath*, deceased, for the payment of debts, legacies, and portions; and for settling of other lands to the same uses.

8. An act for sale of several lands and hereditaments of *Isaac Knight*, esq; in the counties of *Nottingham* and *York*, for payment of the portion of *Hannah* the wife of *Thomas Stones*, esq; and the arrears of an annuity payable to *Dickenson Knight*, gent. and for settling the overplus to the same uses, to which the lands to be sold do stand limited, and for charging other lands with the said annuity.

9. An act for vesting the estate of *Thomas Berrie*, esq; deceased, in trustees, to be sold, for discharging several mortgages thereupon, and other his debts, which his personal estate will not extend to pay, and for laying out the surplus-money for the benefit of his widow and heir at law.

10. An act for vesting the several manors and lands therein mentioned, in the county of *Oxon*, late the inheritance of *William Jennens*, esq; deceased, and by his marriage settlement conveyed to the uses therein expressed, in trustees, to be sold for clearing several incumbrances thereupon, precedent to the said marriage settlement, and investing the surplus of the money arising by such sale, in a purchase of other lands to the like uses, as were limited by the said marriage settlement; and for vesting in the said trustees such estate and interest as the said *Willm*

Jennens, or the trustees named in his marriage settlement, had in certain lands, heretofore called the *Marsh Lands*, in the parish of *St. Giles in the Fields*, in the county of *Middlesex*, subject to the several precedent incumbrances thereupon, to be sold for the purposes therein mentioned.

11. An act for the more effectual provision for the poor in the town of *Kings-ton upon Hull*.

12. An act for repairing and amending the highways leading from *Seven Oaks* to *Woods Gate* and *Tunbridge Wells*, in the county of *Kent*.

13. An act for sale of part of the estate of *Anthony* lord viscount *Gormanston*, for payment of his debts, and for securing a jointure, and a maintenance for *Margaret* viscountess *Gormanston*, in lieu of a rent charge payable to her out of the said viscount's estate.

14. An act to enable *Henry Summers*, esq; to make sale of the manor of *Gaynes*, and other lands in *Huntingdonshire*, and in lieu thereof to settle lands in *Elfix* of a greater value, to the same uses the said *Huntingdonshire* estate was settled.

15. An act for making more effectual the act for the repairing the highways between *Fornhill*, in the county of *Bedford*, and *Stony Stratford*, in the county of *Bucks*.

16. An act to confirm articles of partition made between the earl and countess of *Wemyss*, of the one part, and *Anne Robinson*, spinster, of the other part, of their estates in the counties of *Oxon*, *Northampton*, and *Kent*; and for vesting their respective moieties in trustees to be sold.

17. An act to make several trusts in the marriage settlements of *Edward Southwell*, esq; and the lady *Elizabeth* his late wife, more effectual to answer the intent of them, and to explain several powers therein.

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18. An act to enable trustees to sell some fenny lands in the counties of *Huntingdon* and *Cambridge*, part of the estate of *Anthony Hammond*, esq; and to settle other lands in lieu thereof.
 19. An act to enable trustees to grant, renew, and fill up leases of the estate of *Arthur Tremayne*, esq; (an infant) during his minority.
 20. An act for the inclosing *Ropley* commons, in the county of *Southampton*; and for the improvement of the old disparked park of *Farnham*, in the counties of *Surry* and *Southampton*.
 21. An act to enable the trustees of the last will and testament of *Thomas Hobbs*, doctor in physick, deceased, with *Abraham Weeks*, esq; to make a jointure upon the wife of the said *Abraham Weeks*.
 22. An act to enable certain trustees to raise part of the portions designed for the younger children of *Clifton Pack*, esq; deceased, and *Penelope* his wife, by their marriage settlement.
 23. An act for the relief of *Joseph Cooper*, gent.
 24. An act for vesting the freehold and copyhold estate late of *William Emerton*, esq; deceased, in the parish of *Chevening*, in the county of *Kent*, in trustees, to be sold for the better support of his widow, and advancement of his two daughters.
 25. An act to enable the corporation of *Liverpoole* to make a grant to *Sir Olcave Moore*, bart. for liberty to bring fresh water into the said town of *Liverpoole*.
 26. An act for sale of part of the estate of *George Scot*, esq; in the county of *Kent*, for payment of debts.
 27. An act to enable trustees to recover the personal estates of *William Bigg* and *Isabel Bigg*, now vested in *John Bigg*, a lunatick, their son and heir, and executor of his father, for the payment of debts and legacies.
 28. An act for vesting the estate and effects of *John Coggs* and *John Dann*, goldsmiths and copartners in trustees, for the speedy payment of their creditors, and for determining differences thereupon.
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- Anno 9 Annæ.
- Cap. 1. For granting an aid to her Majesty, to be raised by a land tax in *Great Britain*, for the service of the year 1711.
 - Cap. 2. To oblige ships coming from places infected, more effectually to perform their quarentine.
 - Cap. 3. For charging and continuing the duties upon malt, mum, cyder, and perry, for the service of the year 1711.
 - Cap. 4. To continue the acts for recruiting her Majesty's land forces and marines, for the service of the year 1711.
 - Cap. 5. For securing the freedom of parliaments, by the farther qualifying the members to sit in the house of commons.
 - Cap. 6. For reviving, continuing, and appropriating certain duties upon several commodities to be exported; and certain duties upon coals to be water-born, and carried coastwise; and for granting further duties upon candles, for thirty two years, to raise 150,000 *l.* by way of a lottery, for the service of the year one thousand seven hundred and eleven; and for suppressing such unlawful lotteries, and such insurance offices, as are therein mentioned.
 - Cap. 7. For enabling and obliging the bank of *England*, for the time therein mentioned, to exchange all Exchequer bills for ready money upon demand; and to displace any person to be governor, deputy governor, or director of the bank of *England*, and a director of the Bank

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India company, at the same time.

Cap. 8. To repeal the act of the third and fourth year of her Majesty's reign, intituled, *An act for prohibiting all trade and commerce with France*, in so far as it relates to the prohibiting the importation of French wines.

Cap. 9. To continue the acts for punishing mutiny and desertion, and false musters, and for the better payment of the army, and quarters; and for approving of medicines for the army.

Cap. 10. For establishing a general post office for all her Majesty's dominions, and for settling a weekly sum out of the revenues thereof, for the service of the war, and other her Majesty's occasions.

Cap. 11. For laying certain duties upon hides and skins, tanned, tawed, or dressed, and upon vellum and parchment, for the term of thirty two years, for prosecuting the war, and other her Majesty's most necessary occasions.

Cap. 12. For laying a duty upon hops.

Cap. 13. For taking, examining, and stating the publick accounts of this kingdom.

Cap. 14. For the better preventing of excessive and deceitful gaming.

Cap. 15. For making more effectual an act of the forty third year of the reign of Queen Elizabeth, intituled, *An act concerning the assize of fuel*, so far as it relates to the assize of billet.

Cap. 16. To make an attempt on the life of a privy counsellor, in the execution of his office, to be felony without benefit of clergy.

Cap. 17. For the preservation of white and other pine trees growing in her Majesty's colonies of *New Hampshire*, the *Massachusetts Bay*, and province of *Main*, *Rhode Island*, and *Providence Plantations*, the *Narraganset country* or *King's Province*, and *Connecticut*, in *New England*; and

New York, and *New Jersey* in *America*, for the masting her Majesty's navy.

Cap. 18. To render more effectual an act made in the sixth year of her present Majesty, intituled, *An act to repeal a clause in an act of the seventh year of the reign of his late Majesty, for amending highways, which enjoins waggoners and others to draw with a pole between the wheel horses, or with double shafts, and to oblige them to draw only with six horses, or other beasts, except up hills.*

Cap. 19. To enable her Majesty to grant the site of the castle of *Exon*, (parcel of her dutchy of *Cornwall*) for ninety nine years, for the use and benefit of the county of *Devon*.

Cap. 20. For rendering the proceedings upon writs of *Mandamus*, and informations in the nature of a *Quo Warranto*, more speedy and effectual; and for the more easy trying and determining the rights of offices and franchises in corporations and boroughs.

Cap. 21. For making good deficiencies, and satisfying the publick debts; and for erecting a corporation to carry on a trade to the *South Seas*, and for the encouragement of the fishery; and for liberty to trade in unwrought iron with the subjects of *Spain*; and to repeal the acts for registering seamen.

Cap. 22. For granting to her Majesty several duties upon coals, for building fifty new churches in and about the cities of *London* and *Westminster*, and suburbs thereof, and other purposes therein mentioned.

Cap. 23. For licensing and regulating hackney coaches and chairs; and for charging certain new duties on stamp'd vellum, parchment and paper, and on cards and dice, and on the exportation of rock salt for *Ireland*; and for securing thereby, and by a weekly payment out of the post office, and by several duties

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ties on hides and skins, a yearly fund of one hundred eighty six thousand six hundred and seventy pounds, for thirty two years, to be applied to the satisfaction of such orders as are therein mentioned, to the contributors of any sum not exceeding two millions, to be raised for carrying on the war, and other her Majesty's occasions.

Cap. 24. For relief of the creditors and proprietors of the company of mine adventurers, by establishing a method for settling the differences between the company and their creditors, and for uniting them, in order to an effectual working the mines of the said company.

Cap. 25. For making the act of the fifth year of her Majesty's reign, for the better preservation of the game, perpetual, and for making the same more effectual.

Cap. 26. For the better preservation and improvement of the fishery within the river of *Thames*, and for regulating and governing the company of fishermen of the said river.

Cap. 27. For the encouragement of the trade to *America*.

Cap. 28. To dissolve the present, and prevent the future combination of coal owners, lightermen, masters of ships, and others, to advance the price of coals, in prejudice of the navigation, trade, and manufactures of this kingdom, and for the further encouragement of the coal trade.

Cap. 29. For raising the militia for the year one thousand seven hundred and eleven, although the month's pay formerly advanced be not repaid.

Cap. 30. For reviving and continuing an act made in the first year of her Majesty's reign, for the more effectual preventing abuses and frauds of persons employed in the working up the woollen, linen, fustian, cotton, and iron manufactures of this kingdom.

Private Acts,

Anno 9 Annæ.

1. An act for the sale of lands and tenements, late of Sir *Philip Vanblish*, baronet, deceased, in *Essex*, and parish of *Southill*, in the county of *Bedford*, according to his will.
2. An act for rectifying a mistake, and enlarging the time for a composition given by an act of parliament passed in the seventh year of her Majesty's reign, intituled, *An act to enable the Lord high treasurer, or commissioners of the treasury for the time being, to compound with William Mallet, esq; for the debt of his father, for whom he was surety, while receiver general for the county of Somerset and city of Bristol.*
3. An act for sale of the barton and farm of *Pellestoe* in the county of *Devon*, late the estate of *Sebastian Isaac, esq;* deceased, for discharging incumbrances thereupon, and for distribution of the surplus-money.
4. An act for ratifying several purchases lately made with the publick stock of the county of *Devon*, and for making further purchases for the use of the said county, with the publick stock thereof; and also for regulating the better employment of the publick stock of the said county.
5. An act to vest the manor, or reputed manor of *Wadborough*, alias *Wadberrow*, in the county of *Worcester*, and other lands there, which came to the right honourable *Other* earl of *Plymouth*, by his mother, in trustees, to be sold for raising more money to pay off debts charged upon his paternal estate, and for other purposes.
6. An act for sale of the manor of *Reaverby*, and other lands in the county of *Lincoln*, the estate of *Henry Bowes* earl of *Berkshire*, and to settle other lands in the county of *Sufford* to the same uses.
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7. An act for repairing and amending the highways leading from *Royston* in the county of *Hertford*, to *Wandford Bridge*, in the county of *Bedford*.
8. An act for repairing the highways from *Sheet Bridge* in the parish of *Petersfield*, to *Portsmouth*, in the county of *Southampton*.
9. An act for repairing the highways between *Dunstable* and *Hockley* in the county of *Bedford*.
10. An act for settling the estates of the right noble *Evelyn* lord marquis of *Dorchester*, and *William Pierrepont*, esq; commonly called lord *Kingston*, son and heir apparent of the said lord marquis; and also for settling the estate late of *John Hall*, esq; on the marriage of the said *William Pierrepont*, esq;
11. An act to enable *Arthur* earl of *Anglesey*, and *Henry Hyde*, esq; commonly called *Henry* viscount *Hyle*, to take in *England* the oath of office as vice treasurer, and receiver general, and paymaster general of her Majesty's revenues in her kingdom of *Ireland*, and to qualify themselves in *England* for the legal enjoyment of the said office.
12. An act to enable the earl of *Thomond* to make leases for three lives, with covenants for renewal thereof for ever, and grants in fee farm, of the lands and hereditaments in *Ireland*, comprised in his marriage settlement.
13. An act for vesting in *Henry Arundel*, esq; and his heirs, the trust in the estate of the lord viscount *Montagu*, which is vested in her Majesty by the attainder of *John Caryll*, esq; for high treason.
14. An act for discharging *John* lord bishop of *Rapho* in the kingdom of *Ireland*, from all penalties, and incapacities, incurred by him in omitting to take the oath of abjuration on or before the first day of *August*, one thousand seven hundred, and
- three, and for making all ecclesiastical and civil acts done by him, as bishop of *Rapho*, after such omission, to be of the same validity as they would have been if he had taken the said oath in due time.
15. An act for establishing a purchase of certain fee farms, lands, and hereditaments, in the kingdom of *Ireland*, made by Sir *Alexander Cairnes*, baronet, of his grace *James* duke of *Ormond*, in pursuance of a power given him by an act of parliament passed in this kingdom in the twelfth year of his late Majesty's reign, notwithstanding an act passed in *Ireland* in the ninth year of the reign of her present Majesty, or a deed dated the five and twentieth of *April*, one thousand seven hundred and ten, therein mentioned.
16. An act for confirming to the principal and scholars of *King's Hall* and college of *Brazen Nose* in the university of *Oxford*, the purchase of the advowsons of *Stepney* and other churches, and for settling the same to the benefit of the said college.
17. An act for confirming a lease for one and twenty years, made by *Jeffery Palmer*, esq; and others, of lands in *Carlton Curliu* in the county of *Leicester*, for payment of the debts of the said *Jeffery Palmer*.
18. An act for sale of such part of the estate of *Nathaniel Mathew*, late of *Petersham* in the county of *Surrey*, gent. deceased, as will be sufficient to discharge his debts and legacies thereon charged by his last will and testament; and for settling the remainder thereof to the uses in the said will mentioned.
19. An act for sale of several lands and hereditaments of *William Henden*, esq; in the county of *Kent*, for payment of his debts, and for settling other lands in the same county, of a better value, to the same uses, in lieu thereof.

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20. An act for sale of the estate of *Humphrey Pooler*, in the parish of *Harlebury*, in the county of *Worcester*.
21. An act for the sale of part of the estate of *Sir Richard Allin*, alias *Anguish*, baronet in the counties of *Suffolk* and *Norfolk*, for payment of his debts, and settling the remainder according to his marriage articles.
22. An act to enable trustees to perform the marriage articles of *Sir Richard Grosvenor*, baronet, and dame *Jane* his wife, notwithstanding the lunacy of dame *Mary Grosvenor*, and the infancy of her younger children; and for settling the estate in the family, and making building leases, as effectually as if the said dame *Mary* was of sound mind, and her children of full age, and all had joined in levying fines.
23. An act for vesting several messuages or tenements in *Bride Lane*, and elsewhere, in the parish of *St. Bridget*, alias *St. Bride's*, *London*, of *John Poynter*, esq; in trustees, to be sold in lieu and satisfaction of other manors, messuages, lands, and tenements of a greater value, settled by the said *John Poynter* to such uses, and upon such trusts, as the said houses in *London* are settled.
24. An act to enable *John Hardres*, esq; and *Anne* his wife, to sell certain lands in the county of *Kent*, and for settling of others to the uses therein mentioned.
25. An act for vesting of certain lands in the parish of *Woodchurch* in the county of *Kent*, formerly purchased by *Winifred Bridger*, and *Laurence Bridger*, in certain trustees, to be sold for the raising money for the purposes therein mentioned.
26. An act for the sale of the manor of *Great Bealings*, and several farms, lands, and hereditaments, late the estate of *Henry Wood*, alias *Webb*, esq; deceased, in *Great Bealings*, and several other places in the county of *Suffolk*, for discharging a mortgage thereon, and for payment of other debts of the said *Henry Wood*, alias *Webb*, and for applying the overplus-money (if any) arising by such sale, for the benefit of *Henry Wood*, alias *Webb* (an infant) his son and next.
27. An act for vesting a certain piece of ground being part of a field called *Stonebridge Field*, adjoining to *Piccadilly* in the county of *Middlesex*, in trustees, to dispose of the same, to discharge a debt to the crown, and to other uses.
28. An act to vest the estate of *Sir Henry Robinson*, knt. a lunatick, lying in *Cransley*, in the county of *Northampton*, in trustees, to enable them to make a settlement on the marriage of *John Robinson*, esq; only son and heir apparent of the said *Sir Henry*, and for other purposes therein mentioned.
29. An act to enable trustees to make, renew, and fill up leases of the estate of *William Burgoyne*, late of the city of *Exon*, merchant, deceased, during the minority of his son and daughters.
30. An act for dissolving the marriage of *Stephen Jermin*, the only son of *Stephen Jermin*, of *London*, merchant, with *Sarah Bell*, and to enable him to marry again.
31. An act for confirming the sale of the estate of *John Weston*, esq; in the county of *Surrey*, and discharging it from the demands of the crown.
32. An act for the sale of the estates late of *William Hubbard*, and of his father *Edward Hubbard*, in the county of *Surrey*, for the satisfaction of the said *William Hubbard's* debt to the crown, and to preserve the surplus thereof for the purposes therein mentioned.
33. An act to explain and make more effectual a clause relating to the estate of dame *Rebecca Lytton*, deceased,

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ceased, in an act of parliament made in the seventh year of her Majesty's reign, intituled, *An act for payment of the debts of Sir John Bolles, bankrupt, a lunatick.*

34. An act for vesting the manor of *Bucksteep*, and several lands in *Sussex*, the estate of *Josiah Weller*, esq; in trustees, to be sold, and discharging the incumbrances thereon, and applying the surplus-money to certain uses and trusts therein mentioned.

35. An act for the relief of *Abraham Roth* of the kingdom of *Ireland*, esq; in relation to the purchase of part of the forfeited estates in *Ireland*.

36. An act to enable *Robert Jones* of *Funmun Castle* in the county of *Glamorgan*, esq; to make leases for three lives, or for ninety nine years determinable on three lives, of the manors, lands, and hereditaments in the county of *Glamorgan*, limited to himself for life by his marriage settlement; and for settling other lands to the uses of that settlement in lieu and recompence of such power.

37. An act for the sale of certain lands and tithes in the parish of *Tonge* in the county of *Leicester*, late the estate of *William Muggelstone* deceased, and for the distribution of the money thereby arising, pursuant to a settlement made of the said lands and tithes by the said *William Muggelstone*.

38. An act for enabling *Charles* lord viscount *Cullen*, to sell the manor and advowson of the church of *Elmesthorpe*, in the county of *Leicester*, for the payment of his debts.

39. An act for sale of part of the estate of *Theophilus Biddulph*, esq; for payment of his debts.

40. An act to enable trustees to make building leases of part of the estate late of *John Lovett* deceased, lying in the city of *Dublin*.

41. An act for sale of timber upon the estate of *Thomas Skeffington*, esq; an infant, for payment of his father's debts.

42. An act for confirming an agreement made between *Philip Saltmarsh* and *Thomas Bennett*, esqrs. for a partition, division, and exchange of several estates in the counties of *Nottingham* and *Dorset*, and other purposes therein mentioned.

43. An act for sale of part of the estate of *Richard Brideoake*, esq; in the county of *Oxon*, and charging other part thereof with two annuities, for payment and satisfaction of several incumbrances affecting his whole estate; and for confirming an agreement made between the said *Richard Brideoake* and others claiming common in *Hook Norton Warren* and *Hook Norton Lays*, in the same county.

44. An act for the sale of the manor of *Frogwal*, and other lands and hereditaments in the county of *Kent*, the estate of *George Clerk*, esq; for payment of debts, and settling an estate in the county of *Leicester*, and city of *London*, to the same uses as the estate in *Kent* was settled.

Anno 10 Annæ.

Cap. 1. For granting an aid to her Majesty, to be raised by a land tax in *Great Britain*, for the service of the year 1712.

Cap. 2. For preserving the protestant religion, by better securing the church of *England* as by law established; and for confirming the toleration granted to protestant dissenters by an act, intituled, *An act for exempting their Majesty's protestant subjects, dissenting from the church of England, from the penalties of certain laws*, and for supplying the defects thereof, and for the further securing the protestant succession,

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cession, by requiring the practicers of the law in *North Britain* to take the oaths, and subscribe the declaration therein mentioned.

Cap. 3. For charging and continuing the duties upon malt, mum, cyder, and perry, for the service of the year 1712, and for applying part of the coinage duties, to pay the deficiency of the value of plate coined, and to pay for the recoining the old money in *Scotland*.

Cap. 4. For settling the precedence of the most excellent princess *Sophia*, electress and dutchess dowager of *Hanover*, of the elector her son, and of the electoral prince the duke of *Cambridge*.

Cap. 5. To repeal the act of the seventh year of her Majesty's reign, intituled, *An act for naturalizing foreign protestants*, (except what relates to the children of her Majesty's natural-born subjects, born out of her Majesty's allegiance.)

Cap. 6. For explaining and altering the laws now in being concerning the assizes of fuel, so far as they relate to the assize of billet made or to be made of beech wood only.

Cap. 7. To prevent the disturbing those of the episcopal communion in that part of *Great Britain* called *Scotland*, in the exercise of their religious worship, and in the use of the liturgy of the church of *England*; and for repealing the act passed in the parliament of *Scotland*, intituled, *An act against irregular baptisms and marriages*.

Cap. 8. To continue the act of the last session of parliament, for taking, examining and stating the public accounts of the kingdom, for one year longer.

Cap. 9. For recruiting her Majesty's land forces and marines, for the service of the year 1712.

Cap. 10. For punishing mutiny and desertion, and false musters, and

for the better payment of the army and quarters.

Cap. 11. For enlarging the time given to the commissioners appointed by her Majesty, pursuant to an act for granting to her Majesty several duties on coals, for building fifty new churches, and about the cities of *London* and *Westminster*, and suburbs thereof, and other purposes therein mentioned; and also for giving the said commissioners farther powers for better effecting the same; and for appointing monies for rebuilding the parish church of *St. Mary Woolnoth* in the city of *London*.

Cap. 12. To restore the patrons to their ancient rights of presenting ministers to churches vacant in that part of *Great Britain* called *Scotland*.

Cap. 13. For repealing part of an act passed in the parliament of *Scotland*, intituled, *Act for discharging the Yule vacance*.

Cap. 14. For reviving and continuing several acts therein mentioned, for preventing the mischiefs which may happen by fire; for building and repairing county gaols; for exempting apothecaries from serving parish and ward offices, and serving upon juries; and relating to the returning of jurors.

Cap. 15. For repealing a clause in the statute made in the twenty-first year of the reign of King *James* the First, intituled, *An act for the further description of a bankrupt, and relief of creditors against such as shall become bankrupts, and for inflicting corporal punishment upon the bankrupts in some special cases*, which makes descriptions of bankrupts; and for the explanation of the laws relating to bankruptcy in case of partnership.

Cap. 16. For regulating, improving, and encouraging the woollen manufactures.

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- manufacture of mixed or medly broad cloth, and for the better payment of the poor employed therein.
- Cap. 17. For the better collecting and recovering the duties granted for the support of the royal hospital at *Greenwich*, and for the further benefit thereof; and for the preserving her Majesty's harbour moorings.
- Cap. 18. To give further time for inrolling such leases granted from the crown, as have not been inrolled within the respective times therein limited; and for making the pleading of deeds of bargain and sale inrolled, and of fee-farm rents, more easy.
- Cap. 19. For laying several duties upon all soap and paper made in *Great Britain*, or imported into the same; and upon chequered and striped linens imported; and upon certain silks, calicoes, lincens and stuffs printed, painted, or stained; and upon several kinds of stamped vellum, parchment, and paper; and upon certain printed papers, pamphlets and advertisements; for raising the sum of 1,800,000*l.* by way of lottery towards her Majesty's family; and for licensing an additional number of hackney chairs; and for charging certain stocks of cards and dice; and for better securing her Majesty's duties to arise in the office for the stamp duties by licences for marriages and otherwise; and for relief of persons who have not claimed their lottery tickets in due time, or have lost Exchequer bills, or lottery tickets; and for borrowing money upon stock (part of the capital of the *South Sea* company) for the use of the publick.
- Cap. 20. For the relief of insolvent debtors, by obliging their creditors to accept the utmost satisfaction they are capable to make, and restoring them their liberty.
- Cap. 21. To prevent abuses in making linen cloth, and regulating the lengths, breadths, and equal sorting of yarn, for each piece made in *Scotland*, and for whitening the same.
- Cap. 22. For the relief of merchants importing prize goods from *America*.
- Cap. 23. For the more effectual preventing fraudulent conveyances, in order to multiply votes for electing knights of shires to serve in parliament.
- Cap. 24. For prolonging the term for payment of certain duties granted by an act made in the twelfth and thirteenth years of his late Majesty King *William*, intituled, *An act for recovering, securing, and keeping in repair the harbour of Minehead, for the benefit and support of the navigation and trade of this kingdom*.
- Cap. 25. For raising the militia for the year 1712, although the month's pay formerly advanced be not repaid; and for rectifying a mistake in an act passed this session of parliament, intituled, *An act for punishing mutiny and desertion, and false musters, and for the better payment of the army and quarters; and for taking accounts of trophy money formerly raised and collected*.
- Cap. 26. For laying additional duties on hides and skins, vellum and parchment, and new duties on starch, coffee, tea, drugs, gilt and silver wire, and policies of insurance, to secure a yearly fund for satisfaction of orders to the contributors of a further sum of 1,800,000*l.* towards her Majesty's supply; and for the better securing the duties on candles; and for obviating doubts concerning certain payments in *Scotland*; and for suppressing unlawful lotteries, and other devices of the same kind; and concerning cake soap; and for relief of *Mary Ravenall*, in relation to an annuity of 18*l. per annum*; and concerning prize cocba nuts brought from *America*.

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rica; and certain tickets which were intended to be subscribed into the stock of the *South Sea* company; and for appropriating the monies granted in this session of parliament.

Cap. 27. For making effectual such agreement as shall be made between the royal *African* company of *England* and their creditors.

Cap. 28. For continuing the trade and corporation capacity of the united *East India* company, although their fund should be redeemed.

Cap. 29. For better ascertaining and securing the payments to be made to her Majesty for goods and merchandizes to be imported from the *East Indies*, and other places, within the limits of the charter granted to the *East India* company.

Cap. 30. For continuing the trade to the *South Seas*, granted by an act of the last session of parliament, although the capital stock of the said corporation should be redeemed.

Cap. 31. For the appointing commissioners to take, examine, and determine the debts due to the army, transport service, and sick and wounded.

Cap. 32. For enlarging the time for the ministers, advocates, and other members of the college of justice in *Scotland*, to take the oaths therein mentioned.

Cap. 33. For appointing the circuit courts in that part of *Great Britain* called *Scotland* to be kept only once in the year.

Cap. 34. For explaining several clauses in an act passed the last sessions of parliament for the relief of the sufferers of the island of *Nevis* and *St. Christopher*, by reason of the invasion of the *French* there in the year 1705.

Private Acts.

Anno 10 Annæ.

1. An act to make a causey over the *Denes* from *Great Yarmouth* to *Caisler*, in the county of *Norfolk*.

2. An act to enable *John* lord *Gower*, baron of *Stittenham*, an infant, to make a settlement upon his marriage.

3. An act for enlarging the term for payment of certain duties granted in and by an act of parliament passed in the sixth year of her Majesty's reign, intituled, *An act for preserving and enlarging the harbour of Whitehaven, in the county of Cumberland.*

4. An act to enable trustees, during the minority of *Wriothesley* duke of *Bedford*, and of the lord *John Russell* his brother, to grant leases of the estate of the said duke, and setts for getting copper and other ore and minerals therein, and for rendring valid and effectual several such grants, or setts already made.

5. An act for making the exemplification of the settlement made upon the marriage of *James* lord *Annesly* with the lady *Elizabeth Manors*, under the great seal of *Great Britain*, evidence on hearings in equity and trials at law.

6. An act for erecting a workhouse in the city and county of the city of *Norwich*, for the better employment and maintaining of the poor there.

7. An act for repairing the highway between a certain place called *Kilburn Bridge*, in the county of *Middlesex*, and *Sparrows Herne*, in the county of *Hertford*.

8. An act for making the river *Avon* in the counties of *Somerset* and *Gloucester*, navigable from the city of *Bath* to or near *Hanbams Mills*.

9. An act for the better repairing and amending the road leading from *Ipswich* to *Cleydon*, and the road called the *Pye Road* in the county of *Suffolk*.

10. An act for the better supplying the town of *Boston*, in the county of *Lincoln*, with fresh water.

11. An act for compleating a chapel of ease in the lower town of *Deal*, in

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in the county of *Kent*, by a duty on water-born coals to be brought into the said town.

12. An act for confirming and rendering more effectual certain letters patent of King *James* the First, for annexing a canonry, and several rectories, to the *Regius* professor of divinity in the university of *Oxford*; and for the *Regius* professor, and lady *Margaret's* reader of divinity in the university of *Cambridge*.
13. An act for enabling *James Griffin*, esq; and *Edward Griffin*, son and heir apparent of the said *James Griffin*, to raise money to pay the debts of the said *James*, and to make a settlement for the benefit of themselves and their family.
14. An act to enable the honourable *Algernon Grevil*, esq; to make a settlement of his estate in the several counties of *York* and *Warwick*, pursuant to agreements made by him on his marriage with the honourable *Mary Somerset*, his now wife.
15. An act for sale of the manor of *Hempsted*, and other lands therein mentioned, lying in the counties of *Kent* and *Suffix*, the estate of Sir *Robert Gulleford*, baronet, for the payment of debts, and for settling the *Camber* farm, and other lands in the said county of *Suffix*, to the same uses as the said manor of *Hempsted* now stands settled.
16. An act for ascertaining and establishing the glebe land, tithes, and other profits of the rectory of *Gothurst* in the county of *Bucks*.
17. An act for sale of the manor of *Dalham*, and other manors and hereditaments in the county of *Suffolk*, and elsewhere, late the estate of *Simon Patrick*, clerk, deceased, for the several purposes therein mentioned.
18. An act for sale of the manor of *Agerfley*, alias *Agerfley*, and *Archington*, and several lands and hereditaments in the county of *Stafford*, for payment of mortgage monies charged thereon, and other the debts of the honourable *Charles Egerton*, esq;
19. An act to enable trustees to cut and sell timber on the estate late of *Anthony Henley*, esq; deceased; and for applying the money thereby arising, towards payment of his younger childrens portions, provided by his marriage settlement; and also for transferring certain estates by the same settlement, now vested in *Richard Norton*, esq; to other trustees on the same trusts.
20. An act for making a perpetual augmentation to the vicarage of *Duloe*, in the county of *Cornwall*, out of the tithes and profits of the rectory of *Duloe*.
21. An act for sale of part of the estate late of *Edward Hill*, esq; deceased, in *Orton* and *Rowell*, in the county of *Northampton*, for the discharging several incumbrances thereupon, and the performance of the last will of the said *Edward Hill*, for the settling other lands and tenements, in *Rowell* aforesaid, in lieu thereof, to the same uses.
22. An act for enabling *Edward Southwell*, esq; to grant certain houses and lands in the county of *Gloucester*, to *Joshua Franklyn* of *Bristol*, merchant, for a term of years, in order to the better improvement thereof, and of other adjacent lands of the said *Edward Southwell*.
23. An act to enable *Owen Thomas Bromfall*, gent. to sell divers lands, tenements, and hereditaments in the county of *Bedford*, for the purposes therein mentioned.
24. An act for vesting the estate, late of *Bartholomew Vanhomrigh*, esq; deceased, lying in the kingdom of *Ireland*, in trustees, to be sold.
25. An act for selling certain lands, part of the manor of *Wrightfield* alias *Whitefield*, and other lands in the

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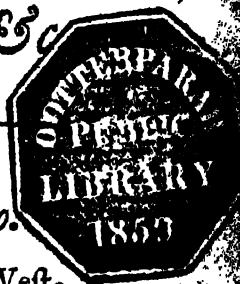
- the county of Gloucester, for the payment of the debts heretofore of *Mary Fernor*, widow, deceased, and of *John Moore*, jun. of Kirlington, in the county of Nottingham, esq; and *Margaret* his wife.
26. An act to enable *William Western*, esq; an infant, to make a settlement of his estate upon his marriage, notwithstanding his infancy.
27. An act for sale of the manors of *North Court* and *Bevinton*, in the parish of *Swingfield* in the county of *Kent*, part of the estate of *Richard Gomeldon*, esq; for discharging incumbrances.
28. An act for confirming to *Agmondisham Visey*, esq; and his children, the benefit intended by an act passed in the first year of her Majesty's reign, for their relief, and for discharging him and them of the rents and profits of their estate incurred before the passing of the said act.
29. An act to explain an act made in the seventh year of her Majesty's reign, intituled, *An act to empower the lord high treasurer of Great Britain, or commissioners of the treasury, to compound with the sureties of Samuel Pacey, deceased, late receiver general for the county of Suffolk*, so far as it relates to *Jeseph Paske*, one of the said sureties.
30. An act to enable the lord high treasurer, or commissioners of the treasury of Great Britain for the time being, to compound with the executor of *Michael Wicks*, esq; late receiver general of the plantation duties in the port of London, as the lord high treasurer, or commissioners of the treasury of England, were, by a former act of parliament enabled to do with the said *Michael Wicks* himself.
31. An act to make free the *Content galley*, a running ship, taken from the *French*, and condemned as prize.
32. An act for making the ship *Succesi*, a free ship.
33. An act for repairing the highway between *Highgate* gatehouse, in the county of *Middlesex*, and *Brixet* blockhouse, in the county of *Hertford*.
34. An act for enlarging, attending, and maintaining the road betwixt *Northfleet*, *Graysend*, and *Rocheſter*, in the county of *Kent*.
35. An act for uniting the parish churches of *Thornſon* and *Ingrave*, in the county of *Essex*.
36. An act to vest several lands and tenements in the county of *Warwick*, the estate of *Thomas Viner*, late *Ethrap* in the said county, deceased, esq; in trustees, and to enable them to sell part thereof, for discharging several debts and incumbrances thereon, and to raise a present provision for his son and heir, an infant, and the rest of his children.
37. An act to empower the paymaster of the million lottery tickets, to pay to *Sir William Hodges*, bart. the money due upon fourteen tickets in the said lottery.
38. An act for the relief of *George Mathew*, esq; against a clause in an act of parliament passed in *Ireland*, whereby several fines and recoveries, and a settlement of his late wife's estate are set aside.
39. An act for sale of the estate of *William Pierſon*, esq; deceased, for payment of an incumbrance thereupon, and a debt due from the said *William Pierſon* to her Majesty, as he was collector of the customs at *Plymouth*.
40. An act for vesting several lands in *Battleſon*, in the county of *Bedford*, in *John Billerſon*, esq; and his heirs, discharged of several uses and estates to which they are now limited, and for settling other lands, of greater value, in the same county, to the same uses.
41. An act to enable *James* duke of *Ormand*, and *Charles* earl of *Argan*, of the kingdom of *Ireland*, his brother,

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- ther, to convey to her Majesty the regalities, franchises, liberties, and jurisdictions in the county of *Lipperary*, in the kingdom of *Ireland*, in order to their being extinguished in the crown, and to enable her Majesty to grant an equivalent for the same.
42. An act for enlarging the time for sale of part of the estate of the right honourable *Richard* lord *Belw*, of the kingdom of *Ireland*, vested in trustees by an act of parliament lately passed in the said kingdom.
43. An act for the relief of *Sir William Douglas*, lieutenant general of her Majesty's forces.
44. An act for vesting the inheritance of the manor of *Court at Week*, and divers other lands, tenements and hereditaments in the county of *Kint*, in trustees, to be sold for payment of the debts and legacies of *Sir Robert Ayslen*, baronet, deceased.
45. An act for confirming a partition made between *William Pynsent*, esq; and *Mary* his wife, *John Trevillian*, esq; and *Elizabeth* his wife, and the trustees of several manors and lands in the county of *Somerset*.
46. An act for sale of some part of the real estate of *Baptist May*, esq; deceased, for payment of his debts, and for other purposes therein mentioned.
47. An act for sale of the estate of *Francis Moore*, esq; in the county of *Wilt*, for discharging an incumbrance thereon, and providing a portion for his only daughter; and for other purposes therein mentioned.
48. An act for vesting several lands in *Netherex*, *Rew*, *Silvertown* and *Thorverton*, in the county of *Devon*, in trustees, to be sold for the purposes therein mentioned.
49. An act for vesting in trustees the real estate of *Barbara*, sole daughter and heir of *John Goring*, late of the city of *Litchfield*, esq; and now the wife of *Mr. Walter Chetwynd*, for the performance of articles on her marriage, notwithstanding her minority.
50. An act for confirming a lease made by *Jeffery Palmer* and *Robert Palmer*, esquires, for a further provision for payment of the debts of the said *Jeffery Palmer*.
51. An act to enable the lord high treasurer of *Great Britain*, or commissioners of the treasury for the time being, to compound with *George Dixon*, doctor in divinity, as he was surety for his father, while receiver general for the county of *Somerset*, and city of *Bristol*.

The END of the TABLE.

STATUTES at Large, &c



Anno Regni ANNÆ Reginae octavo.

AT the parliament summoned to be holden at Westminster the eighth day of July, Anno Dom. 1708. in the seventh year of the reign of our sovereign lady Anne, by the grace of God, of Great Britain, France, and Ireland, Queen, defender of the faith, &c. and by several writs of prorogation begun and holden on the sixteenth day of November, 1708. being the first session of this present parliament; and from thence continued by several prorogations to the fifteenth day of November, one thousand seven hundred and nine, ^a being the second session of this present parliament.

^a In the Record is added,
And by several

adjournments continued till the fifth day of April, in the ninth year of her Majesty's reign.

CAP. I.

An act for granting an aid to her Majesty, to be raised by a land tax in Great Britain, for the service of the year one thousand seven hundred and ten. 4 s. in the pound.

CXIII. AND whereas in and by an act of parliament made and passed in the seventh year of her Majesty's reign (a-⁷ Ann. c. 8.
f. 9.
mongst other things therein contained) it is provided and enacted, That it should and might be lawful to and for the governor and company of the bank of England (in case their general court should so think fit) to contract and agree at any time before the last day of December, one thousand seven hundred and nine, with the lord high treasurer of Great Britain, to circulate (over and above the bills undertaken to be circulated by another act of the same session therein mentioned) such further bills not exceeding six hundred and twelve thousand seven hundred thirty nine pounds, as should be made forth at her Majesty's Exchequer for her Majesty's supply: and whereas by indenture bearing date the eight and twentieth day of September, one thousand seven hundred and nine, made between the most honourable Sidney earl of Godolphin, then and now lord high treasurer

⁷ Ann. c. 7

of Great Britain, of the one part, and the said governor and company of the bank of England, of the other part, reciting, That the said governor and company of the bank of England in a general court by them holden, did agree to circulate in Exchequer bills, the sum of four hundred thousand pounds, part of the said sum not exceeding six hundred and twelve thousand seven hundred thirty nine pounds, it was made known and declared, that in pursuance of the said recited act of parliament in that behalf, they the said governor and company of the bank of England had contracted and agreed, and did by the said indenture contract and agree with the said Sidney earl of Godolphin, lord high treasurer of Great Britain, to circulate such further and other bills, for any sum not exceeding the said sum of four hundred thousand pounds, as should be made forth at her Majesty's Exchequer for her Majesty's supply, as aforesaid: now to the intent that the said bills which have been made or issued, or shall be made and issued, as aforesaid, not exceeding the said sum of four hundred thousand pounds, may have and bear the like credit, interest, allowances, currency, privileges, and advantages, in all respects, as the bills formerly issued in pursuance of the said other act of parliament herein before mentioned, whereby the general fund for circulating and discharging Exchequer bills was settled and established; be it enacted, &c.

The Exchequer bills for 400,000 l. and the quarterly bills to be issued, shall bear 2 d. per cent. per diem interest, and 3 l. per centum per annum, &c. Powers of the former act to be in force. Deficiency to be made good by parliament. Monies called in, to be added to the capital stock. All privileges, &c. to extend to the capital stock, so enlarged.
E X P.

CAP. II.

An act to prohibit the exportation of corn, malt, meal, flour, bread, biscuit, and starch, and low wines, spirits, worts, and wash drawn from malted corn.

WHEREAS the price of corn at this time within the kingdom of Great Britain, is become very great, and (in some parts thereof) excessive, which tends to the impoverishment of many of her Majesty's good subjects, especially of poor manufacturers, and others of a meaner condition, and by reason that corn in several other parts of Europe is scarcer and dearer than in Great Britain, it is likely that several persons, for their private advantage or lucre, will not only export or carry great quantities of corn from this kingdom, but likewise distill excessive quantities of low wines and spirits from malt, corn, or grain, in order to export the same to foreign parts, whereby the price of corn will be further increased, to the detriment of her Majesty's good subjects, and the destruction of many of them, if a timely remedy in this behalf be not provided; be it therefore enacted, &c.

No corn, low wines, &c. to be exported before 29 Sept. 1710. Master and mariners offending to be imprisoned for three months. Officers of the customs may seize all such corn, &c. Proviso for corn, &c. to be exported

ed for ship's use : or for the factories in Africa, or colonies in America : or for the British fishery in those parts. Exporter to declare the colony, &c. for which the corn, &c. is bound, and give security. Malt or barley may be transported from *Southampton* for *Jersey* or *Guernsey*, not exceeding 5000 quarters. Corn, &c. may be carried coastwise, &c. Her Majesty by proclamation may permit the exportation of corn, &c. before 29 Sept. 1710. Commissioners of customs to give account to next session of parliament of all corn, &c. exported. EXP.

CAP. III.

An act for charging and continuing the duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and ten.

CAP. IV.

An act for continuing part of the duties upon coals, culm, and cynders, and granting new duties upon houses having twenty windows or more, to raise the sum of fifteen hundred thousand pounds, by way of a lottery, for the service of the year one thousand seven hundred and ten.

MAY it please your most excellent Majesty, we your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, being desirous, by the most easy and effectual ways and means, to raise such supplies as are necessary for the prosecution of the present war, and for enabling your Majesty, at the end thereof, to establish a good and lasting peace, have for that end and purpose given and granted, and do by this present act give and grant unto your Majesty, the several and respective rates, duties, impositions and sums of money, as well for and upon such coals, culm, and cynders, as for and upon such houses as are herein after mentioned; and do most humbly beseech your Majesty, that it may be enacted: and be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That for For 31 years, from 29 Sept. 1710. the additional rates following to be paid for all coals, &c. (except charcoals made of viz. (made wood) the several and respective additional or new impositions, perpetual by rates, duties, and sums of money herein after mentioned, (over 4 Geo. 1. c. 19. f. 1.) and above all such duties as are already granted or payable for For all coals imported into Great Britain. or in respect of the same, or any of them, by any law or statute imported into now in force) that is to say, For all coals which at any time Great Britain. or times, within or during the said term, shall be imported or brought into the kingdom of Great Britain from any part beyond sea, (in case they are such coals as are most usually sold by weight) the sum of three shillings of lawful money of Great Britain for every tun, reckoning the tun to consist of twenty 1 s. per tun.

and 4 s. 6 d.
per chaldcr.

For coals wa-
terborn, 3 s.
per chaldcr,

and 2 s. per
tun.

For culm wa-
terborn, 7 d.
Two tenths
per chaldcr.

For cynders
waterborn, 3 s.
per chaldcr.

hundred weight, and every hundred to consist of one hundred and twelve pounds weight of *averdupoize*, and after that rate for any greater or lesser quantity; and for all coals so imported from any part beyond sea, being most usually sold by the chaldcr, or by any other measure whatsoever reducible to the chaldcr, the sum of four shillings and six pence of like money for every chaldcr, reckoning the chaldcr to consist of six and thirty bushels *Winchester* measure, and after that rate for a greater or lesser quantity of such coals so imported or brought in from any foreign parts, the said duties for foreign coals imported or brought in, as aforesaid, to be paid by the respective importer or importers thereof; and for all sorts of coals, from time to time, shipped or waterborn in order to be shipped or laid on board any ship or vessel to be carried by sea, and which shall be carried by sea in any ship or vessel from any port or place within the said kingdom of *Great Britain*, and which at any time or times, within or during the said term, shall be imported, brought, or landed in any other port or place within the said kingdom of *Great Britain*, being most usually sold by the chaldcr, or by any other measure whatsoever reducible to the chaldcr, the sum of three shillings of like money for every chaldcr, to be reckoned, as aforesaid, and after that rate for a greater or lesser quantity; and for all sorts of coals from time to time so shipped or waterborn in order to be shipped and carried by sea from any port or place of the kingdom of *Great Britain*, and which at any time or times, during the said term, shall be imported, brought, or landed in any other port or place of the same (in case they are such as are most usually sold by weight) the sum of two shillings for every tun, and according to that proportion for more or less, the said several duties for coals so shipped or waterborn to be shipped and carried by sea, as aforesaid, from time to time to be paid at the respective ports and places of importation or landing of such coals, and to be charged upon the respective owner and owners, master or other person having the charge of every such ship or vessel, or of the coals so carried, imported, or brought in the same; and for all culm whatsoever, which at any time, during the said term of thirty two years, shall be waterborn in order to be shipped within the said kingdom of *Great Britain*, or brought into the same, the sum of seven pence and two tenths of a penny for every chaldcr, and after that rate, to be paid at the respective ports and places of importation or landing of such culm, and to be charged on the respective owner and owners, or master or masters, or other person having the charge of the ship or vessel, or of the culm so carried, imported, or brought in the same; and for all cynders made of pit-coal, which at any time or times, during the said term of thirty two years, shall be shipped or waterborn in order to be shipped within the said kingdom of *Great Britain*, or brought into the same, the sum of three shillings of like money for every chaldcr, reckoning the chaldcr to consist of thirty six bushels *Winchester* measure, and after that rate for a greater or lesser quantity,

quantity, to be paid at the respective ports and places of importation or landing of such cynders, and to be charged upon the respective owner and owners, master and masters, or other persons having the charge of the ship or vessel in which the said cynders shall be carried, imported, or brought.

- II. And for the better levying and raising the said several duties, and sums of money, by this act imposed upon such coals, culm, and cynders, as aforesaid; it is hereby enacted, That such of the said duties, and sums of money, as shall arise, or be due or payable in that part of *Great Britain* called *England, Wales*, or the town of *Berwick* upon *Tweed*, for or upon such coals, culm, and cynders, as aforesaid, shall, from time to time, be under the management and government of the commissioners of the customs in *England* for the time being, who shall cause those duties, from time to time, to be raised, levied, collected, and paid to the receiver or receivers general of the customs in *England* for the time being; and that such receiver or receivers general in *England* for the time being, shall pay all the monies arising thereby (the necessary charges of receiving, levying, managing, paying, and accounting for the same, excepted) into her Majesty's receipt of Exchequer, distinct and apart from all other branches of the publick revenue, weekly, to wit, on *Wednesday* in every week, if it be not an holyday, and if it be, then on the next day after, that is not an holyday, for the purposes in this act expressed, and under the penalties, forfeitures, and disabilities herein after mentioned; and that such of the said duties, and sums of money, by this act imposed upon coals, culm, and cynders, as aforesaid, as shall arise, or be due or payable in that part of *Great Britain* called *Scotland*, shall, from time to time, be under the management and government of the commissioners of the customs in *Scotland* for the time being, who shall cause those duties, from time to time, to be raised, levied, collected, and paid to the receiver or receivers general of the customs in *Scotland* for the time being; and that such receiver or receivers general of the customs in *Scotland* for the time being, shall transmit and pay, or cause to be paid, all the monies arising thereby (the necessary charges of receiving, levying, managing, paying, and accounting for the same, excepted) into her Majesty's receipt of Exchequer in *England*, distinct and apart, as aforesaid, from time to time, as such receiver or receivers general in *Scotland* shall have received any such monies, as aforesaid, for the purposes in this act expressed, and under the penalties, forfeitures, and disabilities herein after mentioned.

- III. And it is hereby enacted by the authority aforesaid, That the said several duties by this act imposed within and throughout the said kingdom of *Great Britain*, for and upon all such coals, culm, and cynders, as aforesaid, shall, during all the time and term by this act granted therein, be raised, levied, collected, and paid into her Majesty's Exchequer (for the purposes in this act expressed) in such or the like manner and form, and subject to such allowances and repayments, and under such penalties,

Under whose management these duties shall be.

How these duties shall be raised, &c.

4 Annæ, c. 6.

penalties, forfeitures, and disabilities, and according to such rules, methods, and directions, as are prescribed or appointed by any law or statute now in force, for and concerning the duties upon the like coals, culm, and cynders, which have continuance until the thirtieth day of September, one thousand seven hundred and ten, by virtue of the act of parliament made in the fourth year of her Majesty's reign, intituled, *An act for continuing additional subsidy of tonnage and poundage, and certain duties upon coals, culm, and cynders, and additional duties of excise; and for settling and establishing a fund thereby, and by other ways and means, for payment of annuities, to be sold for raising a further supply to her Majesty, for the service of the year one thousand seven hundred and six, and other uses therein mentioned; and that all and every the powers, authorities, rules, directions, penalties, forfeitures, clauses, matters, and things now in force, contained in the act last-mentioned, or in any other acts or statutes thereby referred unto for the governing, managing, raising, levying, securing, collecting, receiving, paying, and accounting for the said duties upon coals, culm, and cynders, which were granted or continued until the said thirtieth day of September, one thousand seven hundred and ten, as aforesaid, shall be and are, by force and virtue of this present act, revived, and shall be in full force, and be duly observed, practised, and put in execution, in and for the governing, managing, raising, levying, securing, collecting, receiving, paying, and accounting for the duties upon coals, culm, and cynders, by this act granted, for and during the term hereby granted of and in the same, and all arrearsages thereof, as fully and effectually, to all intents and purposes, as if the same powers, authorities, rules, directions, penalties, forfeitures, clauses, matters, and things, were again expressed, and particularly repeated and re-enacted in the body of this present act.*

Twenty windows to pay 10s. additional duty; 30 windows 20s. made perpetual by 3 Geo. 1. c. 8. s. 17. & 5 Geo. 1. c. 19. s. 1. Repealed 20 Geo. 2. c. 3. s. 20. To be paid half yearly, viz. on 25 March, and 29 Sept. and to be charged on the inhabitants. Justices of peace to be commissioners for the duties on houses. Her Majesty may appoint surveyors, and receivers general. How these duties shall be raised, &c. Houses in Warwick, having 20 windows, chargeable, &c. Edifices in the universities, having 20 windows, severally in the tenure of any person, chargeable.

Appropriation of the several duties.

XI. And it is hereby enacted and declared by the authority aforesaid, That all the said several duties by this act granted, as well for and upon such coals, culm, and cynders, as upon such houses, as aforesaid, shall be liable to, and be charged and chargeable with the yearly fund herein after mentioned, and all the annuities to be payable out of the same, in pursuance of this act, during the whole term of thirty two years herein after expressed, and all the same duties (except the necessary charges before-mentioned) are and shall be appropriated thereunto, in such manner, that all the monies which shall, from time to time, be or remain due, or in arrear, for or upon the said annuities, or any of them, or for any arrears thereof (if any such be) shall, from time to time, in the first place be paid and satisfied out of the

the said several and respective duties by this act granted, or some of them, with preference to any other payments that shall or may hereafter be charged upon the same duties, or any of them, and under such penalties, forfeitures, and disabilities, as are hereafter in this act contained in that behalf.

XII. And to the end all the monies arising by the said duties upon coals, culm, and cynders, and by the said duties upon houses by this act granted, may be duly and certainly raised and brought into the said receipt of Exchequer for the purposes aforesaid; it is hereby further enacted by the authority aforesaid, That from time to time, during the continuance of this act, there shall be appointed such and so many justices of the peace, commissioners of the customs, receivers general, collectors, surveyors, and other officers, as shall be proper and necessary for managing, governing, levying, collecting, receiving, and paying the respective duties by this act granted, and for keeping and rendring the accounts of the same; and that the said receivers general, collectors, surveyors, and other officers, who are or shall be concerned in the raising, collecting, receiving, and paying the said respective duties hereby granted, or any of them, and keeping and rendring the several accounts thereof, shall perform their several duties therein, as to them respectively shall appertain, under such and the like penalties, forfeitures, and disabilities, for any offence or neglect therein, or for detaining, diverting, or misapplying any part of the said monies, as are prescribed and to be inflicted by virtue of an act of parliament, made and passed in the ninth year of the reign of his late majesty King William the Third, intituled, *An act for raising a sum not exceeding two millions, upon a fund for payment of annuities, after the rate of eight pounds per centum per annum, and for settling the trade to the East Indies*, for the like offence or neglect relating to the duties on salt, and upon stampd vellum, parchment, and paper, thereby granted or referred unto, or for detaining, diverting, or misapplying any part of the monies, which were granted or appropriated by the act last mentioned.

The officers for managing the duties liable to the act 9 & 10 W. 3. c. 44.

9 W. 3. c. 44.

XIII. And be it enacted by the authority aforesaid, That yearly and every year during the said term of thirty two years, reckoning the first year to begin from the nine and twentieth day of September, one thousand seven hundred and ten, the full sum of one hundred thirty five thousand pounds, by or out of the monies to arise by the said duties on coals, culm, and cynders, and by the said duties on houses by this act granted, or any of them, and to be brought into the receipt of the Exchequer, as aforesaid, in case the same shall extend thereunto, shall be the whole and entire yearly fund; and in case all the monies arising into the Exchequer, of or for the said duties, shall not amount to one hundred thirty five thousand pounds *per annum*, then the monies so arising, so far as the same will extend, shall be part of the yearly fund, for and towards the answering or paying of the annuities herein after mentioned; and in case the said duties by this act granted, shall at any time or times appear

135,000l. to be the yearly fund.

Deficiency to be made good by parliament

to be so deficient or low in the produce of the same, as that within any one year, to be reckoned, as aforesaid, the said monies arising into the Exchequer, for or upon account of the same duties, shall not amount to so much as one hundred thirty five thousand pounds, or to so much as shall be sufficient to discharge and satisfy all the annuities by this act appointed, or intended to be paid, within or for the same year respectively; That then and so often, and in every such case, so much as shall be wanting to make up the said fund for every or any such year, shall be supplied and made good, from time to time, out of the first aid to be granted in parliament next after such deficiency shall appear, and shall, from time to time, be transferred thereunto, as soon as the same shall be granted.

Natives or
foreigners
may become
adventurers.

XIV. And be it further enacted by the authority aforesaid, That it shall and may be lawful for any person or persons, natives or foreigners, bodies politick or corporate, to contribute for or towards advancing the sum of one million five hundred thousand pounds, for carrying on the said war, by paying, at or before the first day of *September*, one thousand seven hundred and ten, to any receiver or receivers to be appointed for that purpose, as is herein after mentioned, the sum of ten pounds, or divers entire sums of ten pounds, upon this act; and that for the raising the said sum of one million five hundred thousand pounds, any person, who will become an adventurer, shall and may advance the sum of ten pounds, for which sum so advanced, he, she, or they, for thirty two years, shall be entitled to receive a share or dividend of the said yearly fund, as hereafter is expressed; and that every adventurer may advance as many entire sums of ten pounds, as he, she, or they, shall think fit, and for every such sum of ten pounds so advanced, he, she, or they, is or are to be interested in one lot or share of and in the said yearly fund.

Her Majesty to appoint managers for the lottery. Books to be provided with 3 columns, &c. Receivers to be appointed by the lord treasurer, &c. Managers to examine the books, and deliver them to the receivers, &c. Tickets how to be delivered out. Receivers to re deliver the books, &c. by 12 Sep: 1710. Middle column tickets to be rolled up, and put in a box, marked A. Innermost to remain in the books. There shall be printed one hundred and fifty thousand tickets, and three thousand seven hundred and fifty tickets shall be fortunate; that is to say, one of them, one thousand pounds yearly; three of them, severally, five hundred pounds; four of them four hundred pounds, four of them three hundred pounds, four of them two hundred pounds, and twenty of them one hundred, and thirty of them fifty pounds, one hundred of them twenty pounds yearly, six hundred and one of them ten pounds, and two thousand nine hundred eighty three of them, severally, five pounds, yearly; fifty pounds yearly to the first drawn ticket, and fifty pounds yearly to the last drawn ticket. If 1,500,000l. be not paid in, then the fund to be proportionable to the sum advanced. Blanks to have 14s. per annum for 32 years. The manner of drawing the tickets. Managers to adjudge to whom the fortunate tickets belong. Forging tickets felony. Fortunate to be paid their advantages half yearly. Unfortunate to be paid yearly, at the feast of St. Michael. Eight pounds per cent. allowed for prompt payment. A transfer office to be kept in London. Money lent tax-free. Half yearly, and yearly payments to be made in course. Benefit tickets to be paid in arith-

metical

metical progression, and the tickets for 14 s. per annum. Overplus disposable by parliament. *Part of these annuities were subscribed into South Sea stock pursuant to 5 Geo. 1. C. 19. & 6 Geo. 1. C. 4.*

XXXIX. *And whereas a doubt may arise whether coals, culm, or Cynders carried from the bridge of Sterling, which is on the firth of Forth, to the town of Dunbar, are liable to the duties by this act imposed, as if they were carried to sea; it is hereby provided, enacted, and declared, That such coal, culm, and cynders, so carried from the bridge of Sterling to the town of Dunbar, or to any part betwixt them, shall not, by reason of such carriage, be liable to the duties by this act imposed; any thing in this act contained to the contrary notwithstanding.* Coals, &c. carried from Sterling to Dunbar, &c. not taxable.

CAP. V.

An act to continue the act for recruiting her Majesty's land forces and marines, for the service of the year one thousand seven hundred and ten.
EXP.

CAP. VI.

An act for employing the manufacturers by encouraging the consumption of raw silk and mohair yarn.

WHEREAS the maintenance and subsistence of many thousands of men, women, and children, within this kingdom of Great Britain, depends upon the making of silk, mohair, gimp, and thread buttons and button holes with the needle, and great numbers of throwsters, twistlers, spinners, winders, dyers, and others, are employed in preparing the materials of which such buttons and button holes are made; and whereas the silk and mohair wherewith the said buttons and button holes are made, is purchased in Turkey and other foreign parts, in exchange for the woollen manufacture of Great Britain, to the great consumption thereof; and for the encouragement of such numerous manufacturers and manufactures, an act was made in the tenth year of the reign of his late majesty King William the Third, of glorious memory, intituled, An act to prevent the making or selling buttons, made of cloth, serge, drugget, or other stuffs or materials, under the forfeitures therein mentioned; but that the intended encouragement by the said act, has, in a great measure, been rendered ineffectual, by a late and unforeseen practice of making and binding of button holes with cloth, serge, drugget, or other stuffs, to the great discouragement of and abatement in the consumption of raw silk and mohair yarn, and the utter ruin of numerous families, who used to manufacture the said materials, if not speedily prevented: for remedy whereof, and making the said recited act of parliament more effectual, be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the five and twentieth day of March, one thousand seven hundred and ten, no taylor or other person or persons whatsoever, within the kingdom of Great Britain, shall make, sell, set on, use or bind, or cause to be made, sold, set on, used, or bound on any clothes, or wearing garments whatsoever, any buttons or button holes made of, or used, or bound with serge, drugget, frize, camlet, After March 25, 1710. None shall make, sell, &c. any buttons or button holes made of bound with serge, &c.

on forfeiture of 5l. for every dozen, &c. One moiety to the Queen, the other to him who will sue, &c.

Two justices may by warrant levy the penalty.

But persons aggrieved may appeal to the sessions,

who are empowered finally to determine the matter.

The appellant to pay costs, if determined against him.

This to be taken as a publick act.

camlet, or any other stuffs of which clothes and wearing garments are usually made, upon forfeiture of the sum of five pounds for every dozen of such buttons or button holes so made, sold, set on, used, or bound, or caused to be made, sold, set on, used, or bound, as aforesaid, and in like proportion for any lesser quantity; one moiety thereof to be to the use of her Majesty, her heirs and successors, and the other moiety thereof to him, her, or them that shall sue for the same, by action of debt, bill, plaint, or information, in any of her Majesty's courts of record, wherein no essoin, protection, or wager of law, or more than one imparlance shall be allowed: or upon complaint to any two justices of the peace of the county, riding, division, city, or town corporate, where the matter in controversy ariseth, who are hereby empowered to summon and examine witnesses on oath concerning the same, and levy the penalty in this act mentioned, and return the overplus, if any be, to the owner or owners thereof; but in case any person shall think himself aggrieved by any judgment or order of the said justices, it shall and may be lawful for such person to appeal against the judgment and order of the said two justices to the justices of the peace in the general quarter sessions of the peace, which shall be held for the same county, riding, division, city, or town corporate, next after notice of such order of the said two justices; and the justices of the peace in the said general quarter sessions are hereby empowered to summon and examine witnesses on oath, and to hear and finally determine the matter of the said appeal; and in case the same justices in the said general quarter sessions shall give judgment against such appellant, then the same justices shall award and order to the party, on whose behalf the same appeal is determined, such reasonable costs and charges to be paid by such appellant, in regard of such appeal, as to the same justices shall seem meet. And this act shall be taken and allowed in all courts within this kingdom as a publick act: and all judges, justices, and all other persons therein concerned, are hereby required as such to take notice hereof, without special pleading the same. *This act is altered and farther enforced by 4 Geo. 1. c. 7. And by 7 Geo. 1. stat. 1. c. 12. s. 1. the penalty of forty shillings per dozen is laid on the wearer.*

CAP. VII.

An act for granting to her Majesty new duties of excise, and upon several imported commodities, and for establishing a yearly fund thereby, and by other ways and means, to raise nine hundred thousand pounds by sale of annuities, and in default thereof, by another lottery, for the service of the year one thousand seven hundred and ten.

For the application of the duties arising by this act, See 8 Annæ, c. 13. s. 28,

MOST gracious Sovereign, we your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, being desirous, by the most easy and effectual ways and means to raise the necessary supplies for prosecuting the

the present war, in which your Majesty is engaged, and for enabling your Majesty, at the end thereof, to establish a good and lasting peace, have for that end and purpose given and granted, and do by this act give and grant unto your Majesty, the several rates, duties, impositions, and sums of money, as well for and upon such exciseable liquors, as for and upon such pepper, mistsins, spices, and snuff, as are herein after-mentioned; and do most humbly beseech your Majesty that it may be enacted; and be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by authority of the same, That from and after the feast of the annunciation, which shall be in the year of our Lord one thousand seven hundred and ten, there shall be, within and throughout the whole realm of *Great Britain*, raised, levied, collected, and paid unto her Majesty, her heirs and successors, for and during the term and space of thirty two years from thence next, and immediately ensuing, and fully to be compleat and ended, for beer, ale, cyder, and other liquors herein after expressed, by way of excise, over and above all duties, charges, and impositions, by any former act or acts of parliament set or imposed, the several rates and duties of excise herein after expressed; that is to say,

New duties
of excise for
32 years, from
25 March,
1710. made
perpetual by
6 Geo. 1. c. 4.
f. 1.

For every barrel of beer or ale (above six shillings the barrel, exclusive of the duties of excise) brewed by the common brewer, or any other person or persons who doth or shall sell or tap out beer or ale, publickly or privately, to be paid by the common brewer, or by such other person or persons respectively, and so proportionably for a greater or lesser quantity three pence. Strong beer.

For every barrel of six shilling beer or ale, or under, brewed by the common brewer, or any other person or persons who doth or shall sell or tap out beer or ale, publickly or privately, to be paid by the said common brewer, or by such other person or persons respectively, as aforesaid, and so proportionably for a greater or lesser quantity, one penny. Small beer.

For all cyder and perry made and sold by retail, upon every hoghead, to be paid by the retailer thereof, and so proportionably for any greater or lesser measure, five pence. Cyder and perry.

For all verjuice made for sale, upon every hoghead, to be paid by the maker thereof, and so proportionably for a greater or lesser quantity, five pence. Verjuice.

For all metheglin or mead, made for sale, whether by retail, or otherwise, to be paid by the maker thereof, upon every gallon, one penny. Metheglin, or mead.

For and upon every barrel of vinegar, vinegar beer, or liquors preparing for vinegar, which shall be brewed or made of any *English* or foreign materials, by any person or persons whatsoever, for sale, and so in proportion for a greater or lesser quantity, to be paid by the maker thereof, nine pence. Vinegar.

For

Strong waters. For every gallon of strong waters or *Aqua vitæ*, made for sale, to be paid by the maker thereof, one penny.

Spirits. And for every gallon of spirits made in *Great Britain*, of any kind of wine or cyder imported, two pence.

New duties how to be collected.

II. And be it enacted by the authority aforesaid, That the said several rates, duties, and impositions upon beer, ale, cyder, and other liquors aforesaid, and all arrearsages thereof, be raised, levied, collected, and paid unto her Majesty, her heirs and successors, during the said space and term of thirty two years, in the same manner and form, and by such rules, ways, and means, and under such penalties and forfeitures, and with such power of mitigation, and other powers, and with such allowances, as any the duties of excise upon beer, ale, or other liquors, are by any act or acts of parliament or law whatsoever, now in force, enacted, appointed, or allowed to be raised, levied, collected, managed, recovered, and paid; and that so much of the said acts as are now in force, for the raising, levying, collecting, paying, or answering the said duties of excise, or any of them, formerly granted, shall be continued and revived, and be practised, put in execution, and observed, in and for the raising, levying, collecting, managing, adjudging, and answering the said duties of excise, by this act granted, for and during the said term of thirty two years, and all arrearsages thereof, for the purposes in this act expressed, as fully and effectually as if the same were particularly, and at large re-enacted in the body of this present act.

Two penny ale.

This section explained by

12 Geo. 1. c. 4. f. 58.

III. And be it further enacted by the authority aforesaid, That for the barrel of two penny ale, mentioned and described in the seventh article of the treaty of union, there shall be only paid and charged, by virtue of this act, such a proportional part of three pence, as two shillings bears to four shillings and nine pence, over and above the other duties wherewith the said barrel of ale is charged in the said article.

Vinegar for pickles liable to the duties.

IV. And whereas it may be doubted whether such persons as make vinegar, and use the same in the preparing or making of pickles for sale, are vinegar-makers within the meaning of this and the other acts relating to the duties upon vinegar; it is hereby declared, That from and after the commencement of this act, the vinegar so made and used is and shall be liable to the duties by this act, and the former acts, whereby the duties on vinegar are imposed; and the said persons shall, to all intents and purposes, be deemed and taken to be the makers of vinegar for sale, within the meaning of the same acts.

Vinegar for making white lead not liable.

V. Provided always, That nothing in this or any other act, shall extend, or be construed to extend, to charge with this or any other duty, such vinegar as shall be made by the manufacturers of white lead only, and used and consumed by themselves, in the making and preparing the same, and to no other use whatsoever; nevertheless, such makers of vinegar, so used in the preparing of white lead (in case they shall sell or deliver out

out any vinegar whatsoever by them made, to any person or persons, or employ the same for any other use) shall from henceforth be chargeable with all duties payable to her Majesty by vinegar-makers, for all vinegar by them made or to be made.

VI. And her Majesty's said dutiful and loyal subjects, the commons of *Great Britain* in parliament assembled, do also most humbly beseech her Majesty, that it may be enacted; and be it enacted by the authority aforesaid, That there shall be answered and paid unto her Majesty, her heirs and successors, for and upon all and all manner of pepper, raisins, nutmegs, cinnamon, cloves, and mace whatsoever; and for such snuff as is herein after-mentioned, imported or to be imported into the kingdom of *Great Britain*, at any time or times after the sixth day of *February*, one thousand seven hundred and nine, within or during the term of thirty two years from thence next and immediately ensuing (over and above all duties, and additional duties already payable for the same, or any of them, by any other law now in force) the several new rates, duties, and sums of money following; that is to say,

New duties on pepper, &c. for 32 years, from 6 February, 1709. Made perpetual by 6 Geo. 1. c. 4. s. 1.

For every pound of pepper, *Averdupois* weight, imported, as aforesaid, one shilling and six pence.

Long pepper not chargeable with this duty. 9 Annæ, c. 6. s. 59.

For every hundred weight of raisins of what kind soever, imported, as aforesaid, accounting one hundred and twelve pounds *Averdupois* to the hundred, the sum of five shillings.

Raisins. Nutmegs, &c. See 8 Geo. 1. c. 15. s. 17.

And for all nutmegs, cinnamon, cloves, and mace, imported, as aforesaid, as much as the same spices respectively pay by any law or laws now in force, upon the importation thereof, it being intended by this act, that the present duties upon the importation of nutmegs, cinnamon, cloves, and mace, shall be doubled.

And for every pound weight *Averdupois* of all snuff imported, as aforesaid, not being of the product or manufacture of her Majesty's plantations, the sum of three shillings.

Snuff. The old duty only to be paid for snuff, by 12 Geo. 1. c. 26. s. 1, 3.

The said respective duties, for and upon all pepper, raisins, nutmegs, cinnamon, cloves, mace, and snuff, to be paid or secured in the manner herein after-mentioned.

VII. And for the better securing the duties upon pepper by this and other acts of parliament imposed, and to the intent that the same may not be too burdensome on the importers of such pepper, as shall be again exported to parts beyond the seas; it is hereby provided, and further enacted by the authority aforesaid, That from and after the seventeenth day of *February*, one thousand seven hundred and nine, all such pepper as shall be imported into the kingdom of *Great Britain*, shall, upon entry thereof, be forthwith carried and put into such warehouse or warehouses, as shall for that purpose be provided by and at the charge of the importers of the said pepper, and be approved of by the commissioners of her Majesty's customs for the

Pepper imported after 17 February, 1709. to be warehoused,

and half the
subsidy paid ;

the time being; and half the subsidy which by law is payable for pepper, imported after the said seventeenth day of *February*, shall be paid down in ready money by the importer or importers thereof, who shall have power to sift or gale the said pepper as hath been usual, and ever practised, to make it merchantable; which said pepper so brought into such warehouse or warehouses, shall not be taken or carried out thence upon any account whatsoever, other than as is herein after-mentioned; that is to say, such of the said pepper as shall be sold to be consumed or spent in *Great Britain*, shall be delivered out of such warehouse or warehouses, unto the person or persons who shall buy the same of the importer or importers thereof, upon such person or persons paying to her Majesty's use the duties charged or imposed, or to be charged or imposed, by this or any other act or acts of parliament in that behalf, for or upon such pepper so bought (other than and except the before-mentioned half-subsidy; and such of the said pepper as shall be for exportation to parts beyond the seas, shall be delivered out of such warehouse or warehouses, unto the importer or importers thereof, or such buyer or other person or persons, as such importer or importers shall appoint in that behalf, upon sufficient security to be first given by the importers, or such buyers or other persons, to her Majesty, her heirs and successors (which security the said commissioners of her Majesty's customs are hereby required and empowered to take) that the same and every part thereof, shall be exported, and not relanded in *Great Britain*; which said securities shall be discharged without fee or reward, upon certificate returned or produced to the said commissioners of the customs, under the common seal of the chief magistrate in any place or places in parts beyond the seas, or under the hands and seals of two known *British* merchants, then being at such place or places, that such pepper was there landed, or upon proof by credible persons, that such pepper was taken by enemies, or perished in the seas; the examination and proof thereof being left to the judgment of the said commissioners of the customs for the time being.

and if to be
consumed in
Great Britain,
not to be car-
ried out till
the whole
duty paid
See 8 Geo. 1.
c. 15. s. 15.
& 16.

If to be ex-
ported, secu-
rity to be giv-
en, &c.

What shall be
deemed clan-
destine impor-
tation of pep-
per.

VIII. And for preventing all clandestine importing or bringing any pepper into this kingdom of *Great Britain*, be it further enacted by the authority aforesaid, That if any person or persons, or bodies politick or corporate, from and after the said seventeenth day of *February*, one thousand seven hundred and nine, shall import or bring any pepper into any port of or in this kingdom of *Great Britain* other than the port of *London*; or into the port of *London*, and shall not make due entries of such pepper so imported or brought in, and bring the same into the said warehouse or warehouses, as aforesaid: the same shall be, and is hereby adjudged, deemed, accounted, and taken to be clandestine running, and unlawful importation thereof; and such person or persons, or bodies politick or corporate, so offending therein, and their abettors, shall not only forfeit and lose all such pepper

pepper so clandestinely run as aforesaid, but also the sum of one hundred pounds, to be recovered and divided, one moiety to her Majesty, her heirs and successors, and the other moiety to the person or persons that shall seize, sue, or inform for the same, in any of her Majesty's courts of record at *Westminster*, or in the court of Exchequer in *Scotland*.

IX. And for preventing the clandestine carrying of any of the said pepper out of the said warehouses, be it enacted by the authority aforesaid, That the keeper or keepers of the said warehouse or warehouses (who shall be provided at the charge of the importers) shall keep one or more book or books, wherein he or they shall fairly enter or write down an exact, particular, and true account of all pepper which shall be brought into and carried out of his or their said warehouse or warehouses, and the days and times when the same was so brought in and carried out, and how much thereof was delivered out to be consumed and spent in *Great Britain*, and how much for exportation, as aforesaid; and shall at the end of every six months transmit in writing an exact account thereof, upon oath, to the commissioners of the customs for the time being, together with an exact account of how much shall be remaining in his or their said warehouse or warehouses respectively, and the said commissioners are hereby empowered and enjoined, within one month after the same shall be transmitted to them as aforesaid, to appoint one or more person or persons to inspect the said book or books, warehouse or warehouses, and to examine the said accounts; and if upon examination it shall appear that any of the said pepper was delivered out otherwise than as aforesaid, or before paying the duties of such of the said pepper as shall be sold to be consumed and spent in *Great Britain*, or giving such security, as aforesaid, for such of the said pepper as shall be delivered out for exportation, as aforesaid, then the warehouse-keeper or warehouse-keepers, so offending therein, shall not only forfeit and lose the value of the said pepper so carried out, as aforesaid, and be forever disabled from any publick employment for the future, but also shall forfeit the sum of one hundred pounds for every such offence, to be recovered and divided, as aforesaid.

X. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the proprietor or proprietors of the said pepper, so lodged in any warehouse or warehouses, as aforesaid, to affix one lock to every such warehouse, the key of which shall remain in the custody of such proprietor or proprietors; and that he or they may, in the presence of the said warehouse-keeper or warehouse-keepers, who is and are hereby obliged to attend at all seasonable times for that purpose, view, sort, and deliver out the said pepper, or any part thereof, in manner following; that is to say, Such of the said pepper as shall be sold to be consumed and spent in *Great Britain*, to the person or persons who shall buy the same, upon paying the duties charged or imposed thereon, as aforesaid, and such of the said pepper as shall be sold for exportation to parts beyond the

What shall be deemed clandestine carrying out of pepper.

Proprietors may affix a lock on the warehouse, &c.

seas upon giving such security as is before in that behalf expressed.

Half subsidy only to be paid on importation of pepper, and the other duties on its delivery out of the warehouse for consumption here.

On exportation all other duties discharged.

Importers of raisins, &c. to have 12 months for payment, or 10 l. per cent. for prompt payment.

Nutmegs, &c. may be imported from any ports in British ships, &c.

Farther provisions relating hereto,
6 Geo. 1. c. 21.
s. 45.

Raisins, &c. landed without entry, &c. forfeited.

XI. Provided always, and it is hereby enacted by the authority aforesaid, That from and after the said seventeenth day of *February*, one thousand seven hundred and nine, no other duty shall be taken or demanded upon or at the importation of any pepper into *Great Britain*, (but the half subsidy before-mentioned) and all other the duties and impositions charged upon or for such pepper as shall be delivered, as aforesaid, out of the warehouse, to be consumed and spent in *Great Britain*, shall be paid upon such delivery out of the warehouse, as aforesaid, and not otherwise: and that from and after the said seventeenth day of *February*, one thousand seven hundred and nine, all duties charged or imposed on such of the said pepper, as shall be delivered out of the said warehouse or warehouses to be exported, and shall be exported accordingly (except the half subsidy) shall be discharged, and from thenceforth no drawback or allowance shall be paid or made out of her Majesty's customs, for or on the account of such exportation of any of such pepper; any thing herein, or in any former act or acts of parliament, contained to the contrary thereof in any wise notwithstanding.

XII. Provided always, and it is hereby enacted by the authority aforesaid, That the importers of the said raisins, nutmegs, cinnamon, cloves, mace, or snuff, giving security at the custom-house, shall have twelve months time for payment of the duties by this act imposed thereupon; and in case such importer shall pay ready money, he shall have ten pounds *per centum*, or after that rate *per annum*, of the said duty abated to him for prompt payment.

XIII. Provided also, and it is hereby enacted, That it shall and may be lawful for any person or persons to import into the kingdom of *Great Britain*, during the continuance of this act, nutmegs, cinnamon, cloves, or mace, subject to the several duties payable for the same, from any parts beyond the seas in *British* ships, so as the master, and at least one fourth of the mariners during the continuance of this present war, be her Majesty's subjects of *Great Britain*, and so as after the end of this war, and during the continuance of this act, the master, and at least three fourths of the mariners be her Majesty's subjects of *Great Britain*, and so as notice be first given to the commissioners of her Majesty's customs, of the quality and quantity of the said spices, so intended to be imported, and the place in which they intend to import the same, and taking a licence under the hands of the commissioners of the customs for the time being, for the landing and importing thereof, as aforesaid; which licence they are hereby authorized and required to grant without any fee or reward, or any other charge to the person demanding the same; any law, custom, or usage to the contrary notwithstanding.

XIV. And be it enacted by the authority aforesaid, That in case any of the said raisins, nutmegs, cinnamon, cloves, mace, and snuff, hereby charged or intended to be charged as aforesaid,

said, shall be landed or put on shore out of any ship or vessel, before due entry be made thereof at the custom-house, in the port or place where the same shall be imported, and before the said duties by this act charged or chargeable thereupon, shall be secured or paid, as this act doth require, or without a warrant for the landing or delivering the same first signed by the collector or other proper officer or officers of the customs respectively; That all such imported raisins, nutmegs, cinnamon, cloves, mace, and snuff, as shall be so landed and put on shore, or taken out of any ship or vessel, contrary to the true meaning hereof, or the value of the same, shall be forfeited, and shall and may be seized or recovered of the importer or proprietor thereof, (to wit) one moiety of the same to the use of her Majesty, her heirs or successors, and the other moiety to the use of such person or persons as will seize, inform, or sue for the same, or the value thereof, by action, bill, suit, or information, wherein no essoin, protection, or wager of law shall be allowed.

XV. Provided always, and be it further enacted and declared by the authority aforesaid, That in case any of the said raisins, nutmegs, cloves, mace, cinnamon, and snuff, upon which the said new duties, by this act granted are paid, or secured to be paid, be again exported at any time or times within eighteen months by *British* merchants, or within nine months by aliens, to be accounted from the respective times of the sight or entry of the said goods inwards, and that due proof be first made, upon oath, That the said raisins, nutmegs, cloves, mace, and cinnamon, or snuff, so exported, be the same for which the said duties are paid, or secured to be paid, as aforesaid; that then, and in every such case, and not otherwise, the same duties so paid, shall, without any delay or reward, be wholly repaid out of any the duties on imported commodities by this act granted, or the security of such of the said duties as shall be secured, shall be vacated (on a debenture or debentures regularly certified and sworn to) as to so much of the said raisins, nutmegs, cloves, mace, and cinnamon, or snuff, as shall be so exported; any thing in this act contained to the contrary notwithstanding.

Raisins, &c.
exported in
due time, duty
to be repaid.
These 9 and
18 months en-
larged to 3
years by
7 Geo. 1. stat.
1. c. 21. s. 10.

XVI. And be it further enacted by the authority aforesaid, That the said new duties upon raisins, nutmegs, cloves, mace, cinnamon, and snuff, by this act imposed, during the said whole term of thirty two years therein granted, shall be ascertained, secured, raised, levied, recovered, and answered, for the uses and purposes in this act expressed, by such rules, ways, means, and methods, and under such other penalties and forfeitures, and subject to such allowance for damage, as the other duties upon the same goods respectively are, by any law or statute now in force, to be ascertained, secured, raised, levied, recovered, or answered, during the continuance thereof respectively.

New duties
how to be le-
vied.

XVII. And for preventing the frauds which may be practised in unshipping, to be landed, any pepper, raisins, mace, cinnamon, cloves, nutmegs, snuff, or any other sort of goods

Pepper, &c.
or any uncu-
stomed goods,
unshipped
what- without pay-

ing the duties, whatsoever, subject to the payment of duties, without paying forfeited, and the same, as also to hinder the importation of any sort of prohibited goods into *Great Britain*; be it further enacted by the authority aforesaid, That if any pepper, raisins, mace, cinnamon, cloves, nutmegs, snuff, or any other sort of goods whatsoever, liable to the payment of duties, shall be unshipped, with intention to be laid on land (customs, and other duties, not being first paid or secured) or if any prohibited goods whatsoever, shall be imported into any part of *Great Britain*, then not only the said uncustomed and prohibited goods shall be forfeited and lost, but also the persons who shall be assisting, or otherwise concerned in the unshipping the said prohibited and uncustomed goods, or to whose hands the same shall knowingly come, after the unshipping thereof, shall forfeit treble the value thereof, together with the vessels and boats, and all the horses, and other cattle and carriages whatsoever, made use of in the landing, removing, carriage, or conveyance of any of the aforesaid goods; one moiety of all which forfeitures and penalties shall be to the use of her Majesty, and the other moiety to him or them that will seize or sue for the same, to be recovered by bill, plaint, or information, wherein no essoin, protection, or wager of law shall be allowed.

Farther provisions relating hereto,
8 Geo. 1. c. 18.
f. 16.

Merchants to pay 1s. 6d. for pepper in their custody on 8 Feb. 1709.

XVIII. And whereas several merchants and other whole-sale traders and dealers in pepper, have or may have, on the eighth day of February, one thousand seven hundred and nine, several stocks or quantities of pepper; it is hereby further enacted, That all and every such merchants, traders, and dealers, having on the said eighth day of February, one thousand seven hundred and nine, in his, her, or their custody or possession, or in the custody or possession of any other person or persons in trust for him, her, or them, or for his, her, or their use, benefit, or account, any stock or quantity of pepper, as aforesaid, within the realm of *Great Britain*, being for sale, shall yield and pay unto her Majesty, for every pound of such pepper, one shilling and six pence, to be paid within six months after the said eighth day of February, one thousand seven hundred and nine.

How the stock in hand shall be ascertained.

XIX. And to the end the said stocks of pepper may be known, and the duties thereupon duly ascertained and secured; it is hereby enacted, That all and every the said merchants, traders, and dealers in pepper, shall, on or before the eighth day of April one thousand seven hundred and ten, make a just entry thereof at the custom-house nearest the place where such pepper doth remain, as aforesaid, and permit the proper officers of the customs thereunto to be appointed, at any time before the fifteenth day of May, one thousand seven hundred and ten, to enter into his, her, or their warehouses or other places, where such stocks of pepper are to be found, and to view, weigh, and take account of the same; and if any such merchant, trader, or dealer shall neglect to make such entry at the custom-house within the time aforesaid, or shall refuse to permit such officer to enter into his, her, or their warehouses or other places (if thereunto required);

quired) there to view the said stock, as aforesaid, or any part thereof, or shall hide, remove, or convey away the said stock of pepper, with intent to defraud her Majesty, or shall not pay her Majesty's dues for the same, according to the true meaning of this act; then for every, or any such offence the merchant, trader, or dealer respectively, so offending, shall forfeit and lose his, her, or their said stocks of pepper, or the value thereof to be recovered and distributed, as aforesaid.

XX. Provided, That if such persons so chargeable for any stocks of pepper, shall pay her Majesty's duties for the same before the end of the said six months, then he, she, or they, shall be allowed for such prompt payment, after the rate of ten pounds ^{10 l. per cent;} *per centum per annum* for every sum so advanced, and in case of exportation thereof, or any part thereof, within eighteen months after entry made, as aforesaid, the said duties payable by this act for such stocks of pepper shall be discharged or repaid. ^{for prompt payment.}

XXI. And it is hereby enacted, That if any dispute shall arise whether any snuff chargeable by this act upon the importation thereof, be of the produce or manufacture of her Majesty's plantations, the *onus probandi* shall lie upon the owner or claimer thereof. ^{*Onus probandi.*}

XXII. And be it enacted and declared by the authority aforesaid, That all the said several duties arising by this act upon exciseable liquors in that part of *Great Britain* called *England*, *Wales*, and the town of *Berwick upon Tweed*, shall from time to time be under the management and government of the commissioners of excise in *England* for the time being; and the said duties upon exciseable liquors to arise in *Scotland*, shall from time to time be under the management and government of the commissioners of excise in *Scotland* for the time being; and that such of the duties imposed by this act upon imported commodities as shall arise in *England*, *Wales*, and the town of *Berwick upon Tweed*, shall be under the management and government of the commissioners of the customs in *England* for the time being; and such of the said duties on imported commodities as shall arise in *Scotland*, shall be under the management and government of the commissioners of the customs in *Scotland* for the time being; and that the commissioners of excise in *England*, and the receiver general of the customs in *England* for the time being, shall pay all the monies that they respectively shall receive of the said duties (the necessary charges of receiving, levying, managing, paying, and accounting for the same, excepted) into her Majesty's receipt of Exchequer, distinct and apart from all other branches of the publick revenue weekly (to wit) on *Wednesday* in every week, if it be not an holiday, and if it be, then on the next day after that is not an holiday, for the purposes in this act expressed, and under the penalties, forfeitures, and disabilities herein after mentioned; and that such of the said rates, duties, and sums of money by this act imposed, as shall arise in *Scotland*, (the necessary charges of receiving, levying, managing, paying, and accounting for the same, excepted) shall from time to time be transmitted and paid by the commissioners of excise, ^{New duties on excise to be under the management of the commissioners of excise, &c.} ^{and customs under the commissioners of the customs. To be paid into the Exchequer distinct, &c.} and

and receiver general of the customs in *Scotland*, for the time being respectively, into the receipt of her Majesty's Exchequer in *England*, distinct and apart, as aforesaid, for the purposes in this act expressed, and under the penalties, forfeitures, and disabilities herein after mentioned.

New duties
appropriated

XXIII. And it is hereby enacted and declared by the authority aforesaid, That all the said several duties by this act granted, as well for and upon such exciseable liquors, as for and upon such pepper, raisins, nutmegs, cinnamon, cloves, myce, and snuff, to be imported, and the said stocks of pepper, as aforesaid, shall be liable to and charged and chargeable with the yearly fund herein after mentioned, and all the annuities of what kind soever, to be payable out of the same, in pursuance of this act, during the whole term of thirty two years herein after expressed in that behalf; and all the same rates and duties (except the necessary charges before-mentioned) are and shall be appropriated thereunto in such manner, that all the monies which shall from time to time be or remain due, or in arrear, for or upon the said annuities, or any of them, or for any arrears thereof, (if any such be) shall from time to time, in the first place, be paid and satisfied out of the said several and respective rates and duties by this act granted, or some of them; with preference to any other payments, that shall or may hereafter be charged upon the same rates and duties, or any of them, and under such penalties, forfeitures, and disabilities, as are hereafter in this act contained in that behalf.

The officers
for managing
these duties
liable to the
act 9 W. 3.
c. 44.

XXIV. And to the end, that the monies to arise by this act may be duly and certainly raised and brought into the said receipt of Exchequer for the purposes aforesaid; it is hereby further enacted by the authority aforesaid, That from time to time, during the continuance of this act, there shall be appointed such, and so many commissioners of the customs and excise, and other officers, as shall be proper and necessary for the raising and levying the respective duties and sums of money by this act granted or chargeable, and for keeping and rendering the accounts of the same; and that all receivers general, collectors, and other officers, who are or shall be concerned in the raising, collecting, receiving, and paying the said respective duties hereby granted, or any of them, and keeping and rendering the several accounts thereof, shall perform the several duties therein, as to them respectively shall appertain, under such and the like penalties, forfeitures, and disabilities, for any offence or neglect therein, or for detaining, diverting, or misapplying any part of the said monies, as are prescribed, and to be inflicted by virtue of an act of parliament made and passed in the ninth year of the reign of his late majesty King *William* the Third, intituled, *An act for raising a sum, not exceeding two millions, upon a fund for payment of annuities, after the rate of eight pounds per centum per annum, and for settling the trade to the East Indies, for the like offence or neglect relating to the duties on salt, and upon stampd vellum, parchment, and paper, thereby granted or referred unto, or for detaining,*

9 W. 3. c. 44.

taining, diverting, or misapplying any part of the monies which were granted or appropriated by the act last mentioned.

XXV. And be it enacted by the authority aforesaid, That yearly and every year, during the term of thirty two years, reckoning the first year to begin from the twenty ninth day of *September*, one thousand seven hundred and ten, the full sum of eighty one thousand pounds *per annum*, by or out of the monies to arise by the said rates, duties, and sums of money by this act granted, or chargeable, and to be brought into the receipt of Exchequer, as aforesaid, in case the same shall extend thereunto, shall be the whole and entire yearly fund; and in case all the monies arising into the Exchequer, of or for the said rates and duties, shall not amount to eighty one thousand pounds *per annum*, then the monies so arising, so far as the same will extend, shall be part of the yearly fund for or towards the answering or paying of all the several and respective annuities herein after mentioned; and in case the said rates, duties, and sums of money by this act granted, shall at any time or times appear to be so deficient or low in the produce of the same, as that within any one year to be reckoned, as aforesaid, the said monies arising into the Exchequer, for or upon account of the same rates and duties shall not amount to so much as eighty one thousand pounds, or to so much as shall be sufficient to discharge and satisfy all the annuities by this act appointed or intended to be paid within or for the same year respectively, That then and so often, and in every such case, so much as shall be deficient or wanting to make up the said fund for every or any such year, shall be supplied and made good from time to time out of the surplus or remainder of the monies which, for such year respectively, shall arise by the rates and duties granted by an act of this session of parliament, intituled, *An act for continuing part of the duties on coals, culm, and cynders, and granting new duties upon houses having twenty windows or more, to raise the sum of fifteen hundred thousand pounds, by way of a lottery, for the service of the year one thousand seven hundred and ten*, after all the annuities, charges and payments directed or authorized by that act, until the end of such year respectively, shall be fully satisfied, paid, and discharged, or monies sufficient shall be reserved for that purpose (which surplus or remainder was reserved to be disposed by authority of parliament;) and in default of such surplus or remainder, then the said deficiency shall be supplied or made up from time to time out of the first aid to be granted in parliament, next after such deficiency shall appear, and shall from time to time be transferred thereunto, as soon as such aid shall be granted.

81,000l. to be the yearly fund.

Deficiency to be made good out of the surplus of coals and window act;

8 Annæ, c. 4.

and in default, by parliament.

XXVI. And it is hereby declared, That so much of the said duties hereby granted, as shall come into the Exchequer before the twenty ninth day of *September*, one thousand seven hundred and ten, shall go in aid of the said yearly fund after the said twenty ninth day of *September*, one thousand seven hundred and ten, for payment of the annuities which shall become payable upon this act.

Duties arising before 29 Sept. 1710. to be applied to the annuities, &c.

XXVII. And it is hereby enacted, That all the monies arising

Monies arising
by the duties
to be entred in
a book.

Natives or fo-
reigners may
advance mo-
ney on this
act, &c.

Times of pay-
ment

Contributors
names to be
entred.

by the duties hereby granted, and provisions hereby made for payment of the several annuities which shall be payable upon this act, shall be fairly and duly entred in one or more book or books to be kept in the offices of the auditor of the receipt, and clerk of the pells, for that purpose, to which all persons concerned, at all seasonable times, shall have free access, without fee or charge.

XXVIII. And for the raising any sum or sums of money, not exceeding in the whole the sum of nine hundred thousand pounds, for carrying on the said war, and other her Majesty's occasions; it is hereby further enacted by the authority aforesaid, That it shall and may be lawful to and for any person or persons, natives or foreigners, bodies politick or corporate, to contribute, advance, and pay into the receipt of her Majesty's Exchequer, for her Majesty's use, at or before the respective days and times in this act limited in that behalf, any sum or sums of money, not exceeding in the whole the said sum of nine hundred thousand pounds, for the absolute purchase of any certain annuity or annuities, to be paid and payable, during the full term of thirty two years, to be reckoned from the twenty ninth day of *September*, in the year of our Lord one thousand seven hundred and ten; which certain annuities shall be computed at the rate of nine pounds *per annum* for every one hundred pounds, and proportionably for any greater sum so to be advanced or paid; and the purchase-money for every such annuity, at the rate aforesaid, is hereby appointed to be paid into the said receipt of Exchequer, at or before the respective days and times herein after limited; that is to say, one fourth part thereof on or before the first day of *May*, in the year of our Lord one thousand seven hundred and ten; one other fourth part thereof on or before the first day of *July*, in the year of our Lord one thousand seven hundred and ten; one other fourth part thereof on or before the first day of *September*, in the year of our Lord one thousand seven hundred and ten; and the remaining fourth part thereof on or before the first day of *November*, in the year of our Lord one thousand seven hundred and ten: all which annuities so to be purchased, shall not exceed in the whole the sum of eighty one thousand pounds *per annum*, and shall be paid and payable at the four most usual feasts, or days of payment in the year; that is to say, the feasts of the birth of our Lord Christ, the annunciation of the blessed virgin *Mary*, the nativity of St. *John Baptist*, and St. *Michael* the archangel, by even and equal portions; the first payment thereof to be due at the feast of the birth of our Lord Christ, which shall be in the year of our Lord one thousand seven hundred and ten.

XXIX. And it is hereby enacted, That in the offices of the auditor of the receipt, and clerk of the pells, in the Exchequer, severally, there shall be provided and kept a book or books, in which there shall be fairly entred the names of all who shall be contributors for such certain annuities, as aforesaid, and of all persons by whose hands the said contributor shall pay in any of said sums upon this act, and also the sum so paid for such annuities: to which book it shall be lawful for the said respective contributors,

tributors, their executors, administrators, and assigns, from time to time, and at all seasonable times, to have resort, and to inspect the same, without fee or reward.

XXX. And be it further enacted by the authority aforesaid, That all and every the annuities so to be purchased upon this present act, shall be and are hereby charged upon, and shall be paid and payable, from time to time, out of the monies arising by the said

Annuities charged upon the new duties.

rates and duties, and other provisions made by virtue of this act for the payment thereof; and that all and every contributor and contributors upon this act, duly paying the consideration or purchase-money, at the rate aforesaid, at or before the respective days or times in this act limited in that behalf, for any such annuity or annuities, as aforesaid, or such as he, she, or they shall appoint, his, her, or their respective executors, administrators, successors, and assigns, shall have, receive, and enjoy, and be entitled, by virtue of this act, to have, receive, and enjoy the respective annuity and annuities so to be purchased, out of the monies by this act appropriated or appointed for the payment thereof, during the said whole term of thirty two years, to be purchased therein, as is above-mentioned; and that all and every such purchasers, their executors, administrators, successors, and assigns, respectively, shall have good, sure, absolute, and unfeazible estates and interests in the several annuities so by them respectively to be purchased, according to the tenor and true meaning of this act; and that all the said annuities to be purchased on this act, and every of them, during the term aforesaid, shall be free from all taxes, charges, and impositions whatsoever.

Part of these annuities were subscribed into South Sea Stock pursuant to 6 Geo. 1. c. 4.

Tax-free.

Contributors to have tallies struck,

XXXI. And be it further enacted by the authority aforesaid, That every contributor upon this act, for any such annuity or annuities, as aforesaid, his, her, or their executors, administrators, successors, or assigns, upon payment of the consideration or purchase-money for the same, at the rate aforesaid, or any part or proportion thereof, into the said receipt of Exchequer, within the time or times in this act limited in that behalf, shall immediately have one or more tally or tallies levied, importing the receipt of so much purchase-money as shall be so paid; and upon payment of all the purchase-money, for any such annuity or annuities, at the rate aforesaid, every such contributor, his, her, or their executors, administrators, successors or assigns respectively, shall have an order for paying of the said annuity and annuities, for and during the said term of thirty two years to be purchased therein; which order shall be signed by the treasurer and under treasurer of the Exchequer, or any three or more of the commissioners of the treasury for the time being; and after the signing thereof, the same shall be firm, good, valid, and effectual in the law, according to the purport and true meaning thereof, and of this act; and shall not be determinable by or upon the death or removal of any treasurer or under treasurer of the Exchequer, or any commissioner or commissioners of the treasury, or by or upon the determination of the power, office, or offices of them, or any of them; nor shall any lord high treasurer of Great Britain, treasurer of the Exchequer, or any commissioners

and orders signed by the treasurer, &c

of the treasury, now or for the time being, have power to revoke, countermand, or make void such orders so signed, as aforesaid, or any of them.

8l. per cent.
for prompt
payment.

XXXII. And for the encouragement of the contributors to advance and pay readily into the receipt of the Exchequer, the sums by them intended to be advanced upon this act, it is provided and enacted by the authority aforesaid, That every such contributor who shall advance and pay into the said receipt of Exchequer, within the times limited by this act, the purchase-money payable for any such annuity or annuities, as aforesaid, his, her, or their executors, administrators, successors, or assigns, shall be allowed and paid out of the contribution-money arising by this act, interest after the rate of eight pounds *per centum per annum*, for the prompt payment of the purchase-money, or of such proportions of the purchase-money as shall be so advanced before the nine and twentieth day of *September*, one thousand seven hundred and ten; the said interest to be computed for the respective sums so advanced and paid into the Exchequer, from the time or respective times of the actual advancing and paying the same into the Exchequer, until the said nine and twentieth day of *September*, one thousand seven hundred and ten.

Purchasers
may assign
their annui-
ties, &c.

XXXIII. And be it further enacted, That it shall and may be lawful to and for any purchaser or purchasers of any such annuity or annuities, as aforesaid, his, her, or their executors, administrators, successors, or assigns, at any time or times, during the continuance of his, her, or their term, estate, or interest, of and in the same, by any writing under his, her, or their hands and seals, or under the common seal of a corporation, or by his, her, or their last will in writing, to assign or devise such annuity, or any part thereof, or any interest therein, to any person or persons whatsoever, and so *toties quoties*, and no such assignment to be revokable, so as an entry or memorandum of such assignment or will be made in books to be kept for that purpose in the said office of the auditor of the receipt, within the space of three months after such assignment or death of the devisor; and that upon the producing such assignment or will, or probate thereof, in the said office of receipt, to be entred, as aforesaid, the party so producing the same, shall bring therewith an affidavit taken before one or more of her Majesty's justices of the peace, of the due execution of the said assignment or will, which affidavit shall be severally filed in the said office; which said entry or memorandum, the proper officers in the said receipt of Exchequer, are hereby required to make accordingly, and to file the said affidavits; and in default of such assignment or devise, by deed or will, the interest of such contributor shall go to his or her executors or administrators.

No purchase,
unless one
eighth be paid
before 1 May,
1710.

XXXIV. Provided always, That no person or persons whatsoever shall or may purchase or obtain, or be admitted to purchase or obtain any such certain annuity or annuities, as aforesaid, for which Exchequer orders are to be made forth, as aforesaid, upon this act, unless the whole or one fourth part at least

least of the consideration-money for the same, at such rate, as aforesaid, be advanced and paid into the said receipt of Exchequer on or before the said first day of *May*, one thousand seven hundred and ten.

XXXV. Provided also, That in case any such contributor, as aforesaid, who shall on or before the said first day of *May*, one thousand seven hundred and ten, have advanced into the Exchequer one fourth part of his, her, or their purchase-money, or his, her, or their executors, administrators, successors, or assigns, do not advance and pay into the said receipt of Exchequer, one other fourth part of his or her consideration-money, so to be paid for such respective annuity or annuities, as aforesaid, on or before the said first day of *July*, one thousand seven hundred and ten; and one other fourth part thereof on or before the said first day of *September*, one thousand seven hundred and ten; and the remaining fourth part thereof, on or before the said first day of *November*, one thousand seven hundred and ten; then, and in every such case respectively, no order shall be drawn or signed for such respective annuity, for which the consideration-money shall not be fully paid, as aforesaid, but so much of the consideration-money as shall have been actually paid into the receipt of Exchequer, for such respective annuity, shall be forfeited to her Majesty, her heirs and successors, and shall be applied, together with other the monies to be raised by this act, for such publick services, as aforesaid; any thing in this act contained to the contrary notwithstanding.

XXXVI. And to the end there may be no failure in raising the supply intended to be raised for her Majesty's use by this act, it is hereby further enacted by the authority aforesaid, That within one and twenty days after the said first day of *May*, one thousand seven hundred and ten, at the furthest, the lord treasurer, or any three or more of the commissioners of the treasury for the time being, shall cause an exact account to be taken of all the sums of money which shall, at or before the said first day of *May*, one thousand seven hundred and ten, be advanced or paid by such purchasers, as aforesaid, into the Exchequer, and compute how much by the year the certain annuities which will be payable to such purchasers, their executors, administrators, successors, and assigns (in case the residue of their payments be duly complied with) will in the whole amount unto, and consequently how much (if any remainder be) of the said yearly fund of eighty one thousand pounds will then remain undisposed; which account being certified by the said auditor of the receipt, and clerk of the pells, and allowed by the said lord treasurer, or any three or more of the commissioners of the treasury for the time being, shall be enrolled and recorded in the respective offices of the said auditor of the receipt, and clerk of the pells; and publication shall be made thereof, as well in the *London Gazette*, as by affixing the same upon the *Royal Exchange* in *London*.

XXXVII. And be it further enacted by the authority aforesaid, That in case it shall appear, by such account to be taken, certified, enrolled, recorded, and published, as aforesaid, that

Purchasers not paying in all their consideration-money, forfeit what is advanced.

Within 21 days after 1 May, 1710. treasury to take an exact account of all the sums advanced for annuities, &c.

Natives or foreigners may become adventurers in the lottery.

there shall be such a residue or remainder of the said yearly fund of eighty one thousand pounds undisposed, over and above so much as shall be applicable to the payment of the certain annuities to be purchased, as aforesaid; then it shall and may be lawful for any person or persons, natives or foreigners, bodies politick or corporate, to contribute for or towards advancing so much as (together with the monies to be raised by the sale of such certain annuities as are above mentioned) shall not in the whole exceed the said sum of nine hundred thousand pounds, by paying, at or before the fifteenth day of September, the thousand seven hundred and ten, to any receiver or receivers to be appointed for that purpose, as is herein after mentioned, the sum of ten pounds, or divers entire sums of ten pounds, upon this act; and that every such person, who will so become an adventurer, shall and may advance the sum of ten pounds; for which sum so advanced, he, she, or they, for thirty two years, shall be entitled to receive a share or dividend of the said remainder of the said yearly fund, as hereafter is expressed; and that every adventurer may advance as many entire sums of ten pounds, as he, she, or they shall think fit; and for every such sum of ten pounds so advanced, he, she, or they is or are to be interested in one lot or share of and in the said remainder of the said yearly fund.

Her Majesty to appoint managers for the lottery. Books to be provided with three columns, &c. Receivers to be appointed by the lord treasurer, &c. Managers to examine the books, and deliver them to the receivers, &c. Tickets to be delivered but at 10l. per ticket. Receivers to redeliver the books, &c. by 26 Sept. 1710. Middle column tickets to be rolled up, and put in a box. Innermost to remain in the books. Books with two columns. The fortunate tickets shall be one fortieth part of the whole number and the managers shall cause such yearly sums to be written upon the fortunate tickets, as the lord treasurer, &c. shall direct, so that the total thereof, together with twenty pounds yearly to the first drawn ticket, and twenty pounds to the last drawn ticket, shall not charge so much of the undisposed remainder, of the yearly fund of eighty one thousand pounds, but that every ticket not having a fortunate lot, exceeding fourteen shillings a year, shall be entitled to fourteen shillings a year, for thirty two years. Blanks to have 14s. per ann. for 32 years. The tickets to be put into another box. No money to be received after 25 Sept. 1710. Publick notice of the time of cutting the tickets. The manner of drawing the tickets. Forging tickets felony. Fortunate to be paid their advantages half yearly. Unfortunate to be paid yearly, at the feast of St. Michael. Money here lent, tax-free. Half yearly and yearly payments to be made in course. Tickets to be paid in arithmetical progression. Overplus disposable by parliament. EXP.

Persons to give security to answer costs occasioned by claimin^g goods seized, otherwise goods to be recovered.

LXIII. *And for preventing the great charges that the officers of the customs, seizing goods prohibited and uncustomed, are put to, by groundless and vexatious claims entred thereto in the court where such goods are prosecuted; be it enacted by the authority aforesaid, That every person upon entry of any claim in the court, where such prohibited and uncustomed goods are prosecuted, shall, from and after the twentieth day of April, one thousand seven hundred and ten, be obliged to give security in the penalty of thirty pounds, to answer and pay the costs occasioned by such claim; and in default of giving such security within the time limit-*

limited by the course of that court for entering claims, such goods shall be recovered.

Mistake in the orders upon 5 Annæ, c. 19. rectified. EXP.

C A P. VIII.

An act for clearing, preserving, and maintaining the harbour of Cat-water, lying near Plymouth, in the county of Devon; and for the cleansing and keeping clean the pool, commonly called Sutton Pool, lying in Plymouth aforesaid.

WHEREAS the ancient borough of Plymouth, in the county of Devon, is very considerable for the port there, and is of great importance, as well for advancing her Majesty's service and revenue, as for promoting and carrying on the trade of this kingdom; near unto which borough hath been time out of mind, and yet is a harbour commonly called Cat-water, the which was a very commodious and safe station, as well for her Majesty's ships of war, as for other ships employed by merchants, until of late that several shoals and great banks of sand have been caused there by the tides and violence of storms; which shoals and banks have yearly encreased, whereby the said harbour is not only at present rendered unsafe to ships in their going into and out of the said harbour, but is like to be entirely ruined, unless a timely and effectual care be taken to prevent the same: and whereas the pool of water, commonly called Sutton Pool, (lying in the bosom of the said town of Plymouth, and thereby of great use and advantage, as well to her Majesty's ships for their supply of provisions, as to all merchants, who have occasion to bring up their vessels to lade or unlade their cargoes at the custom-house, and other keys lying within the said town) hath been, of late years, so filled and choaked up with ouze and mud, as that, by means thereof the said pool is likely to become wholly unserviceable for the uses aforesaid, if due care be not forthwith taken for preserving the same, by deepning thereof, and cleansing the same: and whereas Benjamin Joules of Plymouth aforesaid, hath made proposals for the deepning and cleansing, and for the keeping clean and clear the said harbour and pool, at his own proper costs and charges, so and in such manner, as that the doing thereof will be a great benefit to the publick: To the end therefore, that so good a work may be effected, and that the said harbour and pool may be restored to their former usefulness, and may continue the same, and that the said Benjamin Joules may receive a suitable encouragement for such his undertakings, and his performance of the said work; be it enacted, &c.

Benjamin Joules, &c. shall cleanse the harbour of Cat-water, so as to encrease the water in depth one foot yearly for five years successively, to be computed from March 25, 1710. and for such further time as the supervisors hereby appointed shall order, till a fourth rate ship may go over the shoal at half flood without danger. The said Benjamin Joules, &c. to keep the water at the same depth, at his own costs, during the continuance of this act. He shall likewise carry away 2000 tun of ouze, &c. and make proof of having so done at the end of every year, to the satisfaction of the supervisors. Supervisors appointed. After 25 March, 1710. the said Benjamin Joules, &c. to have the sole privilege of ballasting, &c. for 71 years,

years. Masters of ships, &c. to receive ballast from no other person. He may take the gravel, &c. of Cat-water for ballast. Rates appointed for ballasting. He shall employ such a number of hoys, &c. for carrying ballast as the supervisors shall judge sufficient. Hoys, &c. to be gaged. He shall attend the ballasting. Proviso, that the master, &c. give 24 hours notice, what ballast he shall want. Lime stons or shindle to be furnished at the same rates as other ballast. No ballast to be thrown into any of the said harbours, &c. No master, &c. to detain the hoys, &c. longer than needful. This act not to prejudice the right, &c. of any person to the said water, &c. nor to hinder any bargeman, &c. from dredging; &c. If the said Benjamin Joules, &c. do not perform, &c. all the orders, &c. above specified, all the grants contained in this act shall cease. The supervisors not liable to any penalty for not receiving the sacrament. Continuance of this act for 73 years, from 25 March, 1710. Not to prejudice the rights of the borough of Saltash. This act not to hinder the clearing of the harbour of Cat-water. Saving the rights of the Queen, and of all persons claiming by any grant from the crown any privilege, &c. in the harbours, &c.

C A P. IX.

An act for laying certain duties upon candles, and certain rates upon monies to be given with clerks, and apprentices, towards raising her Majesty's supply, for the year one thousand seven hundred and ten.

For the application of duties arising from this act, See 8 Ann. c. 13. f. 23.

MAY it please your most excellent Majesty, we your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, duly considering your Majesty's great occasions for money to defray the expences of the present war, and other necessary services, have for that end and purpose cheerfully and unanimously given and granted, and do by this act give and grant to your Majesty, as well the several duties for and upon all candles made in Great Britain, or imported into the same, as also the several duties or rates upon monies to be given, or agreed to be given, with such clerks, apprentices, or servants, as are herein after mentioned, for and during the respective terms herein after expressed; and do most humbly beseech your Majesty, that it may be enacted; and be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That there shall be raised, levied, collected, and paid unto and for the use of her Majesty, her heirs and successors, for and upon all candles which, at any time or times within or during the term of five years; to be reckoned from the first day of May, one thousand seven hundred and ten, shall be imported or brought into the kingdom of Great Britain (over and above all customs, subsidies, and other duties already imposed thereupon) the several and respective duties herein after mentioned; that is to say, for all candles made of wax, or usually called or sold for wax candles (notwithstanding the mixture of any other ingredients therewith) which shall be so imported, the sum of four pence, for every pound weight-averdupois, and after that rate for a greater or lesser quantity; and for all candles made of tallow, and other candles whatsoever

Duty on candles for 7 years from 1 May, 1710. made perpetual by 9 Ann. c. 21. f. 7.

Wax candles imported, 4d.

ever (except the wax candles before charged) which shall be so imported, one halfpenny, for every pound weight averdupois, and after that rate for a greater or lesser quantity; the said several duties for and upon all imported candles, to be paid down in ready money by the importers thereof, before the landing of the same respectively; and, there shall be raised, levied, collected, and paid to and for the use of her Majesty, her heirs and successors, for and upon all candles, which at any time or times, within or during the said term of five years, shall be made within the said Kingdom of Great Britain, the several and respective duties herein after mentioned; that is to say, for all candles of ~~wax~~, or usually called, or sold for wax candles (notwithstanding any mixture, as aforesaid) which shall be so made in Great Britain, the sum of four pence, for every pound weight averdupois, and after that rate for a greater or lesser quantity; and for all candles of tallow, and other candles whatsoever (except the wax candles before charged) which shall be so made in Great Britain, one halfpenny, for every pound weight averdupois, and after that rate for a greater or lesser quantity; the said several duties for the said candles so to be made in Great Britain, to be paid by the makers thereof respectively.

Tallow candles imported, 2q.

Wax candles made here, 4d.

Tallow candles, 2q.

II. And be it enacted by the authority aforesaid, That in case any of the said imported candles shall be landed, or put on shore out of any ship or vessel, before due entry be made thereof, at the custom-house in the port or place where the same shall be imported, and before the said duties by this act charged or chargeable thereupon shall be duly paid, or without a warrant for the landing or delivering the same, first signed by the commissioners, collectors, or other proper officer or officers of the customs respectively; that all such imported candles of what kind soever, as shall be so landed and put on shore, or taken out of any ship or vessel, contrary to the true meaning hereof, or the value of the same, shall be forfeited, and shall and may be seized or recovered of the importer or proprietor thereof, to wit, one moiety of the same to the use of her Majesty, her heirs and successors, and the other moiety to the use of such person or persons, as will seize, inform, or sue for the candles so imported and forfeited, or the value thereof, in any of her Majesty's courts of record at Westminster, or in her Majesty's court of Exchequer in Scotland, by action, bill, suit, or information, wherein no essoin, protection, or wager of law shall be allowed.

Candles landed before entry, &c. forfeited, &c.

III. And be it further enacted by the authority aforesaid, That the said duties upon imported candles, by this act granted, during the continuance thereof, shall be ascertained, secured, raised, levied, recovered, and answered, for the uses and purposes in this act expressed, by such rules, ways, means, and methods, and under such penalties and forfeitures, and in such manner and form, as the present duties upon candles imported, or any of them, are by any law or statute now in force, to be ascertained, secured, raised, levied, recovered, or answered, during the continuance thereof respectively.

How these duties shall be raised.

• IV. And

Candles imported to be under the management of the commissioners of the customs.

IV. And be it enacted and declared by the authority aforesaid, That such of the duties imposed by this act upon imported candles, as shall arise in *England, Wales*, and the town of *Berwick upon Tweed*, shall be under the management of the commissioners and officers of the customs in *England* for the time being; and such of the duties imposed by this act upon imported candles, as shall arise in *Scotland*, shall be under the management of the commissioners and officers of the customs in *Scotland* for the time being; and that the respective receivers general of the customs in *England* and *Scotland* for the time being, shall, from time to time, pay, or cause to be paid, all the monies that they respectively shall receive of the said duties for imported candles (the necessary charges of raising and accounting for the same excepted) into the receipt of her Majesty's Exchequer in *England*, distinctly and apart from all other branches of the publick revenues, for the purposes in this act expressed, and under the like penalties, forfeitures, and disabilities, as are to be inflicted by this act, for diverting or misapplying any monies by this act appropriated or appointed for repayment of loans, or satisfaction of interest monies, as is herein after mentioned.

Candles made in Great Britain, under the act set and imposed upon all sorts of candles made in Great Britain, during the term aforesaid, according to the true meaning of this act, and for preventing of frauds concerning the same, be it further enacted by the authority aforesaid, That such of the said rates and duties by this act granted, as are chargeable upon candles made in *England, Wales*, or the town of *Berwick upon Tweed*, shall be under the management of the commissioners and officers of the excise in *England* for the time being; and such of the duties as are imposed by this act upon candles made in *Scotland*, shall be under the management of the commissioners and officers of the excise in *Scotland* for the time being; and that all the monies arising by the said duties upon candles made in *Great Britain* (the necessary charges of raising and accounting for the same excepted) shall be paid into the receipt of her Majesty's Exchequer in *England*, distinctly and apart from all other branches of the publick revenues, for the purposes in this act expressed, and under the like penalties, forfeitures, and disabilities, as are to be inflicted by this act, for diverting or misapplying any monies by this act appropriated or appointed for repayment of loans, or satisfaction of interest monies, as is herein after mentioned.

V. And for the better ascertaining, charging, collecting, levying, raising, and securing the several rates and duties by this act set and imposed upon all sorts of candles made in *Great Britain*, during the term aforesaid, according to the true meaning of this act, and for preventing of frauds concerning the same, be it further enacted by the authority aforesaid, That such of the said rates and duties by this act granted, as are chargeable upon candles made in *England, Wales*, or the town of *Berwick upon Tweed*, shall be under the management of the commissioners and officers of the excise in *England* for the time being; and such of the duties as are imposed by this act upon candles made in *Scotland*, shall be under the management of the commissioners and officers of the excise in *Scotland* for the time being; and that all the monies arising by the said duties upon candles made in *Great Britain* (the necessary charges of raising and accounting for the same excepted) shall be paid into the receipt of her Majesty's Exchequer in *England*, distinctly and apart from all other branches of the publick revenues, for the purposes in this act expressed, and under the like penalties, forfeitures, and disabilities, as are to be inflicted by this act, for diverting or misapplying any monies by this act appropriated or appointed for repayment of loans, or satisfaction of interest monies, as is herein after mentioned.

Persons making candles, to give notice of their work houses, &c.

VI. And it is hereby enacted by the authority aforesaid, That all and every person and persons whatsoever, who, on or before the first day of *May*, in the year of our Lord one thousand seven hundred and ten, shall make any candles for sale, or not for sale, shall, on or before the same first day of *May*, one thousand seven hundred and ten, give notice in writing, at the office of excise next to the place where such candles shall be made, of every melting-house, work-house, ware-house, store-

store-house, shop, room, and other place, by him, her, or them respectively made use of for the making or keeping of such candles, or for the melting or keeping any wax, tallow, or other materials proper to be made into candles, and also of all cop-pers, furnaces, moulds, or other vessels by them made use of for the melting of wax, tallow, or other materials to be made into candles, and that from and after the said first day of *May*, one thousand seven hundred and ten, during the continuance of the said duties upon candles, no maker of candles shall erect, set up, alter, change, enlarge, or make use of any melting-house, work-house, ware-house, store-house, shop, room, or other place for the making or keeping of candles, or for the melting or keeping any wax, tallow, or other materials proper to be made into candles, or use any copper, furnace, moulds, or other vessel for the melting of wax, tallow, or other materials to be made into candles, without first giving notice thereof in writing, or unless notice thereof shall have been before given in writing at the next office of excise: and if any maker of candles shall erect, set up, alter, enlarge, or make use of any melting-house, work-house, ware-house, store-house, shop, room, or other place for the making or keeping of candles, or for the melting or keeping any wax, tallow, or other materials proper to be made into candles, or shall use any copper, furnace, moulds, or other vessels for the melting of wax, tallow, or other materials to be made into candles, without giving such notice thereof, as aforesaid, contrary to the true meaning of this act; then, and in every such case, the offender therein, for every such offence, shall forfeit and lose the sum of fifty pounds, the one moiety thereof to the use of her Majesty, her heirs and successors, and the other moiety to such person or persons who will inform, or sue for the same. and not to alter, &c. the same without like notice, at the next office, on penalty of 50l.

VII. And it is hereby enacted by the authority aforesaid, Persons in London, &c. to enter monthly. That from and after the said first day of *May*, one thousand seven hundred and ten, during the continuance of the said duty upon candles hereby granted, all and every person and persons whatsoever, who shall make any candles in *London*, *Westminster*, or in any parts within the limits of the weekly bills of mortality, shall monthly, and every month, and all and every person or persons whatsoever, who shall make any candles in any other part of *Great Britain*, shall, once in every six weeks, make a true entry in writing, at the next office of excise, of all the candles by him or them severally made within such month or six weeks respectively; which said entries shall contain the weight, number, and size of the candles mentioned therein respectively, and what quantity thereof was made at each course in the several weeks to which such entry shall relate, in any other parts, within 6 Weeks. on pain to forfeit for every neglect of entry the sum of twenty pounds; which entries shall be made upon oath by the makers of such candles, or by their chief workman or servant, employed in making the same, according to the best of their knowledge and belief, unless such maker, workman, or servant be a known quaker, Entry to be on oath, &c.

quaker, and the solemn affirmation of such maker, workman, or servant, to the same effect, in case he or she be a known quaker, shall and may be taken instead of such oath; and the said entries, oaths, and affirmations, to verify the same, shall, for such candles as shall be made within the limits of the weekly bills of mortality, be made with and administered by such officer or officers as shall be appointed by the commissioners of excise in *England*, or the major part of them, for the time being, who shall attend at the general excise office in *London* for that purpose; and for all candles made in all other parts of *Great Britain*, with and by the respective collectors and superintendants of the district or division within which the respective makers of candles shall inhabit, without any fee or charge whatsoever to be demanded or taken for the same.

Entry to be at
next market
town.

VIII. Provided always, That no maker of candles shall be obliged to go or send further than the market town where his or her candles are made, or the next market town to the place where his or her candles are made, for the making of such entries, as aforesaid.

Persons in
London, &c.
to clear in
four weeks,
in any other
parts in six
weeks after
entry.

IX. And be it further enacted by the authority aforesaid, That all and every person and persons whatsoever, who shall make any candles in *London*, *Westminster*, or within the limits of the said weekly bills of mortality, shall, within four weeks, and every person and persons whatsoever, who shall make any candles in any other part of *Great Britain*, shall within six weeks after he, she, or they shall make or ought to have made such entry, as aforesaid, pay and clear off all the said duties for candles, which shall be due from him, her, or them respectively; and that all and every such makers of candles, who shall refuse or neglect to make such payment, as aforesaid, shall forfeit and lose, for every such offence, double the sum of the said duty whereof the payment shall be so refused or neglected; and that no such maker of candles, after such default in payment made, shall sell, deliver, or carry out any candles, until he hath paid and cleared off his duty as aforesaid, on pain to forfeit double the value of such candles so delivered or carried out.

Penalty, double the sum,
&c.

Officers may
enter the
house, and
weigh the
candles, &c.

X. And be it further enacted by the authority aforesaid, That all and every the officers for the said duties, shall, at all times, by day or by night, and if in the night, then in the presence of a constable, or other lawful officer of the peace, be permitted upon his or their request, to enter the house, melting-house, ware-house, or other place whatsoever, belonging to, or used by any person or persons, who, within or during the said term of five years, shall be a maker or makers of any candles whatsoever, and by weighing or tale of the candles, or otherwise, as to such officer shall seem most proper, and convenient, to take an account of the just quantity of the candles which shall have been made by such maker or makers of candles from time to time; and shall thereof make return or report in writing to the respective commissioners of excise, or such as they shall respectively appoint to receive the same, leaving

and make return thereof
to the commissioners.

a true copy (if demanded) of such report in writing under his hand, with or for such maker or makers of candles respectively; and such report or return of the said officer or officers shall be a charge upon such maker or makers of candles respectively; and if the said officer shall refuse or neglect to give or leave a true copy of his report in writing with or for such maker or makers of candles, at the time of taking such account, upon demand, as aforesaid, every such officer, for every such offence, shall forfeit and pay the sum of forty shillings to every such maker or makers of candles respectively.

Such return
a charge on
the maker.
A copy to be
left with the
maker on pain
of 40 s.

XI. Provided always, That every officer who shall be im-
powered to make such charge, as aforesaid, shall in the first place be sworn for the due and faithful execution of his office, and the oath in that behalf shall and may be administered by all or any the commissioners or execute, or by any of her Majesty's justices of the peace, who shall give to such officer a certificate thereof; and all and every such maker and makers of candles respectively are hereby required to keep sufficient and just scales and weights at the place or places where he, she, or they do or make such candles, and permit and assist the officer to make use thereof, for the purposes in this act, under the penalty of ten pounds, to be forfeited and lost for not keeping such scales and weights, or for not permitting and assisting the officer to use the same, as aforesaid.

Officer to be
sworn.
Makers to
keep scales,
&c. on penal-
ty of 10 l.

XII. And the better to prevent any frauds and concealments, whereby her Majesty, her heirs or successors, may be injured or deprived of the duties upon candles granted by this act; it is hereby likewise enacted and declared by the authority aforesaid, That all and every the officers for the said duties upon candles, shall also be permitted to take an account, by gaging, weighing, or otherwise, of the quantities of wax, tallow, and other materials, proper to be made into candles, that shall be in the custody or possession of any maker of candles, during the continuance of the said duties hereby granted; and in case such officer or officers shall miss any quantity or quantities of such wax, tallow, and other materials aforesaid, which he had taken an account of, at the last time he was at such makers of candles, and shall not upon reasonable demand receive satisfaction what is become of such wax, tallow, and other materials so missing; then and in every such case, it shall be lawful for such officer to charge such maker of candles, with such quantity of candles as such wax, tallow, and materials so missing, in his judgment would reasonably have made, not exceeding one hundred and eight pounds of candles, for every one hundred and twelve pounds of wax, tallow, and other materials so missing, as aforesaid, and so in proportion for a greater or lesser quantity.

Officers to
take an ac-
count of the
quantities of
wax, tallow,
&c. in custody
of maker,
and afterwards
missing the
same, to
charge the
maker, &c.

XIII. And be it enacted, That if any maker or makers of candles, shall obstruct or hinder any of the said officers in the execution of the powers and authorities given to him or them by this act, for the ascertaining and securing the said duties

Maker ob-
structing of-
ficer, forfeits,
&c. 20 l.

Maker not to remove candles before account taken thereof, on forfeiture of 20l.

upon candles, the person or persons offending therein shall for every such offence forfeit and lose the sum of twenty pounds.

XIV. And it is hereby further enacted, That no maker or makers of candles, after the said first day of May, one thousand seven hundred and ten, during the continuance of the said duties on candles, shall (under pain of forfeiting the sum of twenty pounds for every offence) remove, carry, or suffer to be removed, carried, or sent away, any him, her, or them made, of which no account shall have been first taken by the proper officer for the said duties, from the place where the same candles shall have been made, without giving to the proper officer or officers, within the limits of the weekly bills of mortality, twenty four hours notice at the least, and to the proper officer or officers, in other parts of *Great Britain*, two days notice at least, of his, her, or their intention to remove, carry, or send away the same: that so the said officer, without his own wilful neglect or default may have time to take an account thereof.

Candles not surveyed, to be kept separate on forfeiture of 5l.

XV. And for the better ascertaining the said duties upon candles, be it further enacted by the authority aforesaid, That all makers of candles shall from time to time keep all the candles by them to be made, and which shall not have been surveyed and taken an account of by the said officers for the said duties on candles, separate and apart from all other their candles, which shall have been surveyed and taken an account of by such officers, for the space of twenty four hours after the making thereof, within the limits of the weekly bills of mortality, or for the space of two days after the making the said candles in any other parts of *Great Britain*, unless such candles shall have been sooner surveyed and taken an account of by the said officers respectively, on pain to forfeit for every offence therein the sum of five pounds.

Candles concealed forfeit 20l.

XVI. And be it further enacted, That if any of the said makers of candles shall fraudulently hide, or conceal, or cause to be hid or concealed, any candles chargeable by this act, or any the materials for making the same, to the intent to deceive her Majesty of her just duties by this act granted, that then and in every such case, the party so offending shall forfeit the sum of twenty pounds for every such offence.

Candles, &c. found in private melting-house, &c. forfeited.

XVII. And be it further enacted by the authority aforesaid, That all the candles, wax, tallow, and other materials for making candles, which shall be found in any private melting-house, work-house, ware-house, and other place, and all private coppers, furnaces, and other vessels, for which no entry shall be made, or notice given, as aforesaid, shall be forfeited and lost, and the same, or the value thereof, shall and may be seized and recovered by the said officer or officers for the said duties upon candles, to her Majesty's use.

No lamps in dwelling houses but

XVIII. And it is hereby further enacted by the authority aforesaid, That during the continuance of the duties upon candles hereby granted, no person or persons whatsoever shall use

use or cause, procure, or suffer to be used, in the inside of his, her or their dwelling-house, any lamp of lamps, wherein any oyl or fat (other than oyl made of fish within *Great Britain*) shall be burnt for giving light, under the penalty of forty shillings for every offence therein; and that no persons during such continuance of this act, shall expose to sale any candles, unless it be in his, her, or their shops or warehouses publickly used, for that purpose, or in some publick fair or market, under the penalty of five pounds for every offence in so doing; any law, custom, or usage to the contrary notwithstanding.

XXIX. And it is hereby enacted, That all the candles, and the materials and utensils for the making of candles, in the custody of any maker or makers of candles, or of any person or persons, to the use of, or in trust for such maker or makers of candles, shall be liable and subject to, and are hereby made chargeable with all the debts and duties for candles, in arrear and owing by such maker or makers, for any candles made by him, her, or them, or in his or their working-house, or places aforesaid; and shall also be subject to all penalties and forfeitures incurred by such person or persons, in using such work-house, or other place, for any offence against this act, relating to the said duties upon candles; and that it shall and may be lawful, in all such cases, to levy debts and penalties, and use such proceedings as may lawfully be done by this act, in case the debtor or offender were the true and lawful owner of the same.

with British oil, on pain of 40s. No candles to be sold, but in shops or markets, on pain of 5l.

Candles, &c. liable to all debts and duties in arrear.

XX. And whereas by *Act of her Majesty's subjects do make candles not to sell, or make any profit thereof, but to be consumed in their own private houses only*; for the better accommodation of such persons, it is hereby further provided and enacted by the authority aforesaid, That the said commissioners of excise for the time being respectively, or the major part of them, or such person or persons, as they, or the major part of them respectively, shall appoint for that purpose, and in default of such appointment, then the collector or supervisor for the district or division within which such person doth or shall inhabit, shall and may compound and agree with such person or persons, for the said duties of such candles, that shall grow due or payable from him, her, or them, by this act, from the commencement thereof, until the end of the term hereby granted, at the rate of one shilling *per annum*, for every head, which at any time or times, during the continuance of such composition, shall be of the family of such person or persons respectively, and to receive such composition-money quarterly; and that the houses, out-houses, or other places of such particular persons, making such composition and agreement, and paying such composition-money quarterly, shall not be liable to the said duty upon candles, or to be surveyed or searched by any gager or officer for the said duties upon candles, for or by reason of his or their making such candles, as aforesaid, or to the said penalty for using lamps.

Commissioners or excise, may compound with private persons at 1s. per head.

Such compounders not liable to the duty, nor to the survey of the gager.

Compounders
selling can-
dles, &c. for-
feit s^l.

XXI. Provided, That if any such person, after such composition made, shall sell, exchange, barter, or deliver out any candles to any other person or persons, or shall permit any other person or persons to make any candles in his, her, or their houses or outhouses, or shall have more persons in their families, than they shall so compound for, without giving notice of them in writing, at the next office of excise, at or before the next quarter day, and paying the like composition for them, then every such person shall forfeit the sum of five pounds, and after such offence committed, shall lose the benefit of his, her, or their composition, and shall be liable to the said duties upon candles, and to the survey and search of such officers, as if no such composition had been made; and for every pair and of candles so fraudulently sold, exchanged, bartered, or delivered out, or fraudulently made, every such person shall forfeit the sum of five shillings; any thing in this act to the contrary notwithstanding.

and liable to
the duty, &c.

Compounder
leaving off
house-keep-
ing, composi-
tion to cease.

XXII. Provided always, That if any such compounder shall leave off house-keeping before the end of the said term, and give notice thereof in writing at the next office of excise, and shall pay the duty for the quantity of candles made by him or her, that shall remain in his or her hands, or in the hands of any other person or persons to his or her use, at the time of leaving off such house-keeping, and all arrears of the payments that shall be due on such composition, that then such composition shall cease from the end of the quarter in which he or she shall so leave off house-keeping; any thing herein contained to the contrary notwithstanding.

Candles in
custody of
sellers or
dealers in
candles, on
1 May, to pay
the same duty
as candles
made after
1 May.
Stock in hand
on 1 May, to
be entred at
the excise of-
fice, on for-
feiture of
sol. and
candles;

XXIII. And be it further enacted by the authority afore-
said, That for all candles which any wax chandler, tallow
chandler, or other sellers and dealers in candles in *Great-Britain*,
or any person or persons in trust for him, her, or them, or
for his, her, or their use, shall be possessed of, or interested
in, upon the said first day of *May*, one thousand seven hun-
dred and ten, for sale, there shall be yielded and paid to her
Majesty, the like respective rates as are by this act to be paid for
the like sorts of candles to be made after the said first day of
May; and that all and every the said wax chandlers, tallow
chandlers, or other sellers and dealers in candles, and all and
every other person and persons, who, in trust for them, or any of
them, or for the use of them, or any of them, shall be possessed of
or have in his, her, or their custody or possession, or in his, her,
or their melting-house, work-house, ware-house, store-house,
shop, room, or other place or places whatsoever, upon the said
first day of *May*, one thousand seven hundred and ten, any
stock, parcel, or quantity of wax candles, tallow candles, or
other candles whatsoever, for sale, shall, on or before the said
first day of *May*, one thousand seven hundred and ten, make
a true and particular entry thereof at the excise office, within
the limits of which they shall respectively inhabit, upon pain
to forfeit the sum of fifty pounds, and the candles for which

1709.1

1709.] Anno octavo ANNÆ. C. 9.
no such entry shall have been made; and within six days after
he, she, or they shall have made, or ought to have made such
entry, as aforesaid, shall pay down the duties hereby pay- and duty to
able for such candles, within the said six days shall give be paid in 6
security to the proper officers, for paying the same duties to try, or secu-
her Majesty's use within three months then next ensuing; and rity to pay in
in case the said duties for such stock of candles be paid down 6 months.
within the said six days, then there shall be allowed out of the 10l. per cent.
the rate of ten pounds per centum per annum, for the said time of for prompt
time duty, for such prompt payment, an allowance after payment.
three months; and that all and every such chandlers, and other Refusers to
sellers and dealers in candles, who shall refuse or neglect to pay, forfeit
make such payment, or to give such security for payment of the double the
said duties for his, her, or their said stock of candles, within the duty.
time by his act limited for that purpose, shall forfeit double
the sum of the said duty which should have been so paid or
secured by him, her, or them, as aforesaid; and that it shall Officers may
and may be lawful to and for the proper officers for the said take account
duties respectively, to take a true and particular account of of stock in
all such stock or quantity of candles, as any such chandlers, or 1 May.
other sellers and dealers in candles, or any in trust for them,
shall, on the said first day of May, one thousand seven hundred and may enter
and ten, have or be possessed of; and for that purpose shall and may enter
be permitted, in the day-time, to enter into any shop, ware- into any shop,
house, melting-house, or any dwelling-house, or out-house, &c. on pain
other places belonging to such chandlers, and other sellers of 20l.
and dealers in candles, and every of them, who are hereby
required to permit such officer and officers, upon his or their
request, to make such entrance on the said first day of May, one
thousand seven hundred and ten, or afterwards, at any time
before the duty last-mentioned shall be paid or secured, and to
take an account of the quantity of such candles under the pe-
nalty of twenty pounds; and if any person or persons having on Stock of can-
the said first day of May, one thousand seven hundred and ten, dles clande-
in his, her, or their custody or possession, any stock or quantity, stinely remov-
of candles chargeable by this act with the said duty for stock, as and the can-
aforesaid, shall clandestinely remove or carry away, or cause or dles.
suffer to be removed or carried away the same, or any part there-
of, before her Majesty's duties thereupon shall be paid or se-
cured, as aforesaid, or shall fraudulently conceal or hide any
part of his, her, or their said stock of candles, that then, and
in every such case, he, she, or they so offending, for every such
offence, shall forfeit the sum of twenty pounds; and in all and
every such case and cases, the stock or quantity of candles
which shall be so clandestinely removed or carried away or
fraudulently concealed or hid, shall be forfeited, and shall and
may be seized by any of the said officers for the said duties on
candles; and the person or persons in whose custody such stock Those in whose
candles shall be found, who shall not, before the discovery custody such
thereof, give notice at the next office for the said duties upon candles found
candles of the stock or quantity of candles so in his, her, or their forfeit 5s.
per lb.

their custody, shall also forfeit and lose the sum of five shillings for every pound weight.

Candles, for which the duty hath been paid, may be exported, &c.

XXIV. Provided always, and be it further enacted by the authority aforesaid, That it shall and may be lawful to and for any person or persons, who shall have actually paid her Majesty's duties by this act payable for any quantity of candles whatsoever, and to and for any other person or persons, who shall buy or be lawfully entitled to any such quantity of candles from the said person or persons, who actually paid her Majesty's duties for the same, to export such candles for any foreign parts by way of merchandize, giving sufficient security before the shipping thereof for exportation, that the particular quantity of candles which shall be intended to be exported as aforesaid, and every part thereof, shall be shipped and exported, and that the same, or any part thereof, shall not be re-landed or brought again into any part or parts of *Great Britain*; which security the customer or collector of the respective port for such exportation is hereby directed and authorized to take in her Majesty's name, and to her use.

Such candles re-landed, forfeited, &c.

XXV. Provided always, That if after the shipping of any such candles to be exported, as aforesaid, and the giving or tendering such security, as aforesaid, in order to obtain the allowance or drawback herein after mentioned, the candles so shipped to be exported, or any of them, shall be re-landed in any part of *Great Britain*, that then and in every such case, over and above the penalty of the bond, which shall be levied and recovered to her Majesty's use, all the candles which shall be landed, or the value thereof, shall be forfeited.

Exporters of candles, on oath that the duty has been paid, or secured, and on certificate and debenture, to be repaid the duty, or security discharged, &c.

XXVI. And it is also hereby enacted, That any person or persons who shall export any candles to any foreign parts, shall or may make proof upon oath, or by such affirmation, as aforesaid, That the duty of such candles hath been paid or secured according to this act (which oath or affirmation the collector who received the said duty is hereby required and impowered to administer) and thereupon the said collector for the said duty upon candles, shall give to such person or persons *gratis* a certificate or certificates, expressing the kinds and quantities of such candles, and the duties paid or secured to be paid for the same, pursuant to this act, which certificate being produced to the customer or collector of the port where the said candles shall be exported, and oath or affirmation, as aforesaid, being also made by the exporter before the said customer or collector of the port (who is hereby also authorized and required to administer the same, without fee or charge) that the candles so exported are the same mentioned in the said certificate; then the said customer or collector of the port where such candles shall be exported, shall give to the exporter thereof a debenture expressing the true quantity of the candles so exported; which debenture being produced to the collector appointed to receive the said duties upon candles, in such county or place where the said candles were exported, he shall forthwith pay the said duty

duty which shall have been received upon this act, to the persons or agents so exporting the same; and if such collector shall not have money in his hands to pay the same, then the said ~~collector~~ ^{officers} of excise are hereby required to pay the said debenture out of the duties upon candles arising by this act, or if the duty of such candles so exported were only secured, and shall remain unpaid, then the same shall be discharged upon the securities for the same; any thing in this act contained to the contrary notwithstanding.

XXVII. And be it further enacted by the authority aforesaid, That all and every the powers, authorities, directions, rules, methods, penalties, forfeitures, clauses, matters, and things, which in and by an act made in the twelfth year of the reign of King Charles the Second, intituled, *An act for taking away the court of wards and liveries, and tenures in capite, and by knights service, and purveyance, and for settling a revenue upon his Majesty in lieu thereof*, or by any other law now in force relating to her Majesty's revenue of excise upon beer, ale or other liquors, are provided, settled, and established, for managing, raising, levying, collecting, mitigating, or recovering, adjudging, or ascertaining the duties thereby granted, or any of them (other than in such cases for which other penalties or provisions are made and prescribed by this act) shall be exercised, practised, applied, used, and put in execution, in and for the managing, raising, levying, collecting, mitigating, recovering, and paying the said duties upon canies hereby granted, during the continuance of this act, as fully and effectually, to all intents and purposes, as if all and every the said powers, authorities, rules, directions, methods, penalties, forfeitures, clauses, matters, and things, were particularly repeated, and again enacted in the body of this present act.

The powers of
12 Car. 2. c. 24.
and other ex-
cise acts appli-
ed to this duty.

XXVIII. And be it further enacted by the authority aforesaid, That all fines, penalties, and forfeitures, in relation to the said duties by this act imposed upon candles, shall be sued for, levied, and recovered, or mitigated, by such ways, means, and methods, as any fine, penalty, or forfeiture is or may be recovered or mitigated, by any law or laws of excise, or by action of debt, bill, plaint, or information, in any of her Majesty's courts of record at *Westminster*, or in the court of *Exchequer* in *Scotland*; and that one moiety of every such fine, penalty, and forfeiture shall be to her Majesty, her heirs and successors, and the other moiety to him or them that shall discover, inform, or sue for the same.

Fines, &c.
how to be re-
covered.

XXIX. And whereas candles are, or often may be cracked, or spoiled in making, and unfit for sale; it is hereby provided and enacted, That upon shewing the same to the officer appointed for charging the said duties upon candles, such officer shall quite deface such cracked or spoiled candles, and make an allowance of the duty hereby chargeable for the candles so by him utterly defaced; any thing herein contained to the contrary notwithstanding.

Candles spoiled
to be de-
faced, &c.

On contracts
for candles
before 14
March, 1709,
the duty to
be added to
the price.

XXX. And whereas standing contracts may have been made before the fourteenth day of March, one thousand seven hundred and nine, by chandlers or other dealers in candles, for serving publick officers, societies, or other persons with candles, to be delivered in point of time after the said first day of May, one thousand seven hundred and ten, it is hereby enacted, That the persons serving such candles, after the said first day of May, one thousand seven hundred and ten, in pursuance of such former contracts, shall be allowed to add the duties hereby charged upon such candles to the price thereof, and shall be intituled by virtue of this act to be paid for the same accordingly.

Small rush-
lights once
dipped, not
chargeable.

XXXI. Provided always, That this act shall not extend, or be construed to extend, to charge the duties herein before-mentioned, on such small rush lights as shall be made by any persons, to be used in their own houses only, so as none of them be sold or delivered out, or be made for sale; and so as such small rush lights be only once dipped in, or once drawn through grease or kitchin-stuff, and not at all through any tallow melted or refined; any thing herein contained to the contrary notwithstanding.

From 1 May
1710, 6d. for
every 20s. of
50l. or under,
and 12d. for
every sum of
above 50l. to
be paid for
every clerk or
apprentice
put out, for
five years
made perpe-
tual by
9 Annæ, c. 21.
s. 7.
To be paid by
the master.

XXXII. And be it further enacted by the authority afore-
said, That there shall be throughout the kingdom of Great
Britain, raised, collected, and paid to her Majesty, her heirs and
successors, the further rates, duties, and sums of money fol-
lowing, that is to say, the duty, rate, or sum of six pence for
every twenty shillings, for every sum of fifty pounds or under,
and the duty, rate, or sum of one shilling, of every twenty
shillings, of all and every sum and sums amounting to more
than fifty pounds, which shall, at any time or times,
from and after the first day of May, one thousand seven hun-
dred and ten, and during the term of five years from thence
next ensuing, be given, paid, contracted, or agreed for, with
or in relation to every clerk, apprentice, or servant, which
shall be, within the kingdom of Great Britain, put or placed
to or with any master or mistress to learn any profession, trade,
or employment, and proportionably for greater or lesser sums;
which said duties, rates, and sums shall be paid by the said
masters or mistresses respectively.

This duty to
be under the
management
of the commis-
sioners of the
stamp duties.

XXXIII. And be it further enacted by the authority afore-
said, That for the better and more effectual levying, collect-
ing, and paying unto her Majesty, her heirs and successors,
the said duties after the rate of six pence, and one shilling for
every such respective sum of twenty shillings, as aforesaid, the
same shall be under the government, care, and management
of the commissioners for the time being appointed to manage
her Majesty's duties on stamp vellum, parchment, and paper;
and the same commissioners shall employ and appoint such
inferior officers as shall be necessary for managing and collect-
ing the duties last-mentioned, and hereby granted, and for
keeping accounts thereof, and for stamping all such indentures
and other writings, which are hereby required to be stamped
here-

herein after is mentioned, and otherwise to act in and relating to the same duties, as her Majesty's service in this behalf shall require; and to cause such sum and sums of money to be expended and paid, from time to time, out of the duties last-mentioned, and hereby granted, for salaries, and other incident charges, as shall be necessary in and for the receiving, collecting, levying, or managing the same duties during the said term, any thing in this act contained to the contrary notwithstanding.

XXXIV. And it is hereby further enacted by the authority aforesaid, That the duties last-mentioned, and hereby granted, shall be all paid or transmitted, from time to time, as this act directs, into the hands of the receiver general for the time being of the said duties on stamp vellum, parchment, and paper, who shall keep a separate and distinct account thereof, and pay the same into the receipt of the Exchequer of her Majesty, her heirs and successors, weekly, on *Wednesday* in every week, unless it be an holy-day, and then the next day after which shall not be an holy-day, for the purposes in this act expressed, and under the like penalties, forfeitures, and disabilities, as are to be inflicted by this act, for diverting or misapplying any monies by this act appropriated or appointed for repayment of loans, or satisfaction of interest monies as is herein after-mentioned.

To be paid to the receiver general of the stamp duties, and by him into the Exchequer, weekly.

XXXV. And be it further enacted by the authority aforesaid, That from and after the said first day of *May*, one thousand seven hundred and ten, the full sum or sums of money received, or in any wise directly or indirectly given, paid, agreed, or contracted for, during the term aforesaid, with or in relation to every such clerk, apprentice, and servant, as aforesaid, shall be truly inserted and written in words at length, in some indenture or other writing, which shall contain the covenants, articles, contracts, or agreements, relating to the service of such clerk, apprentice, or servant, as aforesaid, and shall bear date upon the day of the signing, sealing, or other execution of the same; upon pain that every master or mistress, to or with whom, or to whose use, any sum of money whatsoever shall be given, paid, secured, or contracted, for or in respect of any such clerk, apprentice, or servant, as aforesaid, which shall not be truly and fully so inserted and specified in some such indenture, or other writing, shall, for every such offence forfeit double the sum so given, paid, secured, or contracted for; the one moiety of which forfeitures, shall be to her Majesty, her heirs or successors, and the other moiety, with full costs, to any person or persons who shall inform and sue for the same, by action of debt, bill, plaint, or information, in any court of record at *Westminster*, or in the *Exchequer* of *Scotland*, at any time after the executing, making, or signing of any such indenture or writing, or making any such contract or agreement, and within one year after the time limited or appointed for the service of any such clerk, apprentice, or servant, to or with such master or mistress, shall be expired.

to be inserted in the indenture, &c. on forfeiture of double the sum.

XXXVI. And

Two new
stamps to be
provided, &c.

XXXVI. And be it further enacted by the authority aforesaid, That the said commissioners for managing the said duties on stamp vellum, parchment, and paper, shall, before the said first day of *May*, one thousand seven hundred and ~~ten~~, provide two new stamps to be used in pursuance of this act, (over and besides the stamps heretofore requisite for or in respect of such indenture, or other writing, by virtue of the statutes in that case made) the one of which new stamps shall denote the said duty of six pence in the pound, and the other of the said new stamps shall denote the said duty of one shilling in the pound; and that all such indentures, or other writings, containing the sums truly given, paid, agreed, or contracted for, as aforesaid, which shall, within or during the said term of five years, be entered into, executed, or signed, within the cities of *London* or *Westminster*, or within the limits of the bills of mortality, shall be brought to the head office for stamping or marking of vellum, parchment, and paper, and the duties hereby charged and payable for the sums therein to be inserted, as aforesaid, shall be paid to the receiver general for the time being, of the said duties on stamp vellum, parchment, and paper; and upon such payment thereof, the same shall be stamped with one of the said new stamps, as the case shall require, within one month after the respective dates thereof.

Indentures to
be brought to
the head of-
fice, &c. in
2 months af-
ter date,

XXXVII. And be it enacted by the authority aforesaid, That all the said indentures, and other writings, which shall or ought to contain the whole sum truly given, paid, agreed, or contracted for, as aforesaid, which shall, within or during the said term of five years, be entered into, executed, or signed, in any part of *Great Britain*, (not being within the limits of the said weekly bills of mortality) shall (at the option of the party concerned) be brought or sent, either to the head office within the limits of the said weekly bills, or else to some of the collectors, appointed or to be appointed for her Majesty's duties upon stamp vellum, parchment, and paper, who shall reside without the limits of the said weekly bills, in *England*, *Wales*, or the town of *Berwick upon Tweed*, or to some of the officers to be appointed for the duties by this act granted in *Scotland*, within two months after the date, execution, or signing of every such indenture, or writing respectively; and upon producing of every such indenture or writing, either at the said head office, or to such collector, or other officer, as aforesaid, her Majesty's duties hereby granted shall be paid, either to the said receiver general at the said head office, or to such collector or other officer as aforesaid; and in case the said payment shall be made to the immediate hands of the receiver general in the said head office, for her Majesty's use, then the indenture or writing, for which such payment shall be made, shall be forthwith stamped with one of the said new stamps, as the case shall require; and in case such payment shall be made to the hands of such collector, or other officer, without the limits of the said weekly bills, the same collector or other officer is hereby

and there the
duty to be
paid and in-
denture
stamp, &c.
or the collect-
or to endorse
a receipt, &c.

by required to endorfe on fuch indenture or other writing, a receipt for the monies fo paid, in words at length, bearing date the day on which fuch payment fhall be made, and to fubfcribe his name thereto, (to the intent that he may thereby be charged with every fum fo paid to him) and forthwith deliver back the faid indenture or writing fo endorfed to the bringer thereof.

XXXVIII. And it is hereby enacted by the authority afore- Within what
faid, That every fuch indenture or writing fo endorfed (in cafe time inden-
the fame be entred into, executed or figned within the fpace tures fhall be
of fifty miles, to be computed from the limits of the faid stamped.
weekly bills of mortality) fhall, within three months after
the date or making thereof, and if the fame be entred into,
executed or figned in any part of *Great Britain* at a greater
difance from the limits aforefaid, fhall, within fix months
after the date or making thereof, be brought or fent to the faid
head office, where the fame (being produced with the faid re-
ceipt endorfed) fhall be immediately ftamped with one of the
faid new ftamps, as the cafe fhall require, by the officer appoint-
ed, or to be appointed for that purpofe.

XXXIX. And be it further enacted by the authority afore- Indentures, in
faid, That all fuch indentures or writings, as aforefaid, wherein which the full
fhall not be truly inferted and written the full fum and fumf fum received,
of money received, or in any wife directly or indirectly given, is not charged,
paid, fured, or contracted for, with, or in relation to fuch &c. void.
clerk, apprentice, or feryant, as aforefaid, or whereupon the
duties payable by this act fhall not be duly paid, or lawfully
tendred, or which fhall not be ftamped, or lawfully tendred to
be ftamped, according to the tenor and true meaning of this
act, within the refpective times herein for that purpofe feverally
and refpectively limited, fhall be void, and not available in any
court or place, or to any purpofe whatfoever, and the clerk,
apprentice, or fervant, whom the fame fhall concern or relate
to, fhall in fuch cafe be utterly incapable of being free of any And clerk, &c.
city, town, corporation, or company, and of following or incu- licitated.
exercifing the intended profeflion, trade, or employment; any
charter, law, or cuftom to the contrary notwithstanding.

XL. Provided always, That nothing in this act contained Parish or
fhall be conftrued to extend to charge any mafter or miftrefs publick cha-
with the payment of any of the faid duties, in refpect of any rities not
money by him or her received with any apprentice or fervant, charged.
who fhall be put or placed out at the common or publick
charge of any parifh or townfhip, or by or out of any publick
charity, or to require the ftamping with any fuch new ftamp,
as aforefaid, of any indenture, articles, covenant, agreement, or
contract relating to fuch apprentice or fervant as laft-mention-
ed; any thing herein contained to the contrary notwithstanding.

XLI. And be it further enacted by the authority aforefaid, Forging new
That if any perfon fhall forge or counterfeit the faid new ftamps felony.
ftamps to be provided in purfuance of this act, or either of
them, or impreff any vellum, parchment, or paper with any
fuch

such counterfeit stamp, or counterfeit any receipt for any monies payable by virtue of this act, every such person, being convicted of any of the offences before-mentioned, shall be adjudged a felon, and suffer as in cases of felony, without benefit of clergy.

Commissioners to be sworn :

XLII. And be it further enacted by the authority aforesaid, That every commissioner and officer, who shall act in or about the managing or collecting the duties last-mentioned, and hereby granted, shall, before he shall act in or about the same, take the oath following; that is to say,

The oath.

I A. B. do swear, That I will faithfully execute the trust reposed in me pursuant to the act of parliament, intituled, An act for laying certain duties upon candles, and certain rates upon monies to be given with clerks and apprentices, towards raising her Majesty's supply, for the year one thousand seven hundred and ten, without fraud or concealment; and shall from time to time true account make of my doings therein, and deliver the same to such person or persons as her Majesty, her heirs and successors, shall appoint to receive such account; and shall take no fee, reward, or profit for the execution or performance of the said trust, or the business relating thereto, from any person or persons, other than such as shall be paid or allowed by her Majesty, her heirs and successors, or some other person or persons under her or them to that purpose authorized.

Which oath shall and may be administered by any two or more of the commissioners last-mentioned, or any justice of the peace.

No indenture to be admitted in evidence, unless oath made of the sums really paid, &c.

XLIII. And be it further enacted by the authority aforesaid, That no indenture or writing required by this act to be stamped, as aforesaid, shall be given or admitted in evidence in any suit to be brought by any of the parties thereunto, unless such party, on whose behalf the same shall be given or admitted in evidence, do first make oath, that to the best of his or her knowledge, the sum or sums therein for that purpose inserted or mentioned was or were really and truly all that was directly or indirectly given, paid, secured, or contracted for, on behalf or in respect of such clerk, apprentice, or servant, to or for the benefit of the master or mistress to or with whom such clerk, apprentice, or servant was put or placed.

Commissioners to observe the orders of the treasury.

XLIV. And be it further enacted by the authority aforesaid, That the said commissioners for managing the said duties on stamp vellum, parchment, and paper, and all other officers who shall be employed in or about the collecting or managing of the duties last-mentioned, and hereby granted, shall in and for the better execution of their several offices and trusts, observe and perform such rules, methods, and orders, as they respectively shall from time to time receive from the lord high treasurer now being or the lord high treasurer of the Exchequer, or commissioners of the treasury for the time being; and that no fee or reward shall be demanded or taken by any her Majesty's officers, relating

No fee for stamps.

lating to the said stamp duties, from any of her Majesty's subjects, for any matter or thing to be done in pursuance of this act; and in case any officer intrusted, or to be intrusted in the execution of this act, in relation to the said stamp duties, shall refuse or neglect to perform any matter or thing by this act required to be done or performed by him, whereby any of her Majesty's subjects shall or may sustain any damage whatsoever, such officer so offending shall be liable, by any action to be founded on this statute, to answer to the party grieved all such damages with treble costs of suit.

Officer neglecting his duty answers full damages and treble costs.

XLV. And be it declared and further enacted by the authority aforesaid, That from and after the said first day of May, one thousand seven hundred and ten, and during the said five years, where any thing or things, not being lawful money of Great Britain, shall directly or indirectly be given, assigned, conveyed, delivered, contracted for, or secured, to or for the use or benefit of any master or mistress, with or in respect of any such clerk, apprentice, or servant, for whom a duty is chargeable by this act; the duties hereby granted and last-mentioned shall be answered and paid for the full value or values of such thing or things, and the same duties for the said values shall be secured and answered in the same manner and form, and under the like pains, penalties, forfeitures, and incapacities, as are before in this act provided for securing the said rates upon monies given, or paid, or agreed to be given or paid, with such clerks, apprentices, or servants, as aforesaid.

Where any thing shall be given to any master, not being money, the full value of such thing to be answered for the duties.

XLI. Provided also, and it is hereby further enacted by the authority aforesaid, That it shall and may be lawful, to and for any person and person, natives or foreigners, bodies politick or corporate, to advance and lend unto her Majesty, at the receipt of her Majesty's Exchequer, upon credit of the said several duties, rates, and sums of money by this act granted, and to be raised in the several parts of Great Britain, as aforesaid, any sums which shall not exceed in the whole the sum of five hundred thousand pounds, and to have and receive for the forbearance thereof, interest after the rate of six pounds *per centum per annum*; and moreover, That no money to be lent upon the security of this act, shall be rated or assessed by virtue of this act, or any other act of parliament whatsoever.

Borrowing clause of 500,000 l. at 6 l. per cent.

XLVII. And it is hereby further enacted, That all and every person or persons, who shall lend any money upon the credit of this act, and pay the same into the said receipt of Exchequer, shall immediately have a talley of loan struck for the same, and an order for his, her, or their repayment, bearing the same date with his, her, or their tallies; in or upon which order shall be also contained a warrant for payment of interest for the forbearance thereof, at the rate aforesaid, and to be paid every three months, until the repayment of the principal; and that all such orders for repayment of money to be lent, shall be registred in course, according to the dates respectively, without other preference of one before another; and that all and every person

Lenders to have tallies and orders struck, &c.

and persons shall be paid in course, according as their orders shall stand registred in the said register books, so as the said person, native or foreigner, his executors, administrators, successors, or assigns, who shall have order or orders first entred in the said respective books of register, shall be taken and accounted the first person to be paid out of the monies to come in by virtue of this act; and he or they who shall have his or their order or orders next entred, shall be taken and accounted to be the second person to be paid, and so successively, and in course; and that the monies to come in by this act, of or for the said several duties, rates, and sums of money to be raised in *Great Britain*, as aforesaid, shall be in the same order liable to the satisfaction of the monies to be lent, as aforesaid, to the respective parties, their executors, administrators, successors, or assigns respectively, without undue preference of one before another, and not otherwise, and shall not be diverted or divertible to any other use, intent, or purpose whatsoever, under the penalties, forfeitures, and disabilities herein after mentioned; and that no fee, reward, or gratuity, directly or indirectly, be demanded or taken of any her Majesty's subjects, for providing or making of any such books or registers, or any entries, views, or search, in or for payment of money lent, or the interest thereof, as aforesaid, by any of her Majesty's officer or officers, their clerks or deputies; on pain of payment of treble damages to the party aggrieved by the party offending, with treble costs of suit; or if the officer himself take or demand any such fee or reward, then he shall also lose his place or office; and if any undue preference of one before another shall be made, either in point of registry or payment, or if any of the said money shall be diverted or misapplied contrary to the true meaning of this act, by any such officer or officers, then the party offending shall be liable by action of debt, or on the case, to pay the value of the debt, with damages and costs to the party grieved, and shall be forejudged of his office or place; and if such preference be unduly made by any his deputy or clerk, without directions or privity of his master, then such deputy or clerk only shall be liable to such action, debt, damages, and costs, and shall be forever after incapable of his place or office; and in case the auditor of the receipt shall not direct the order, or the clerk of the pells record, or the teller make payment according to each person's due place and order, as before directed, then he or they shall be adjudged to forfeit, and the respective deputies and clerks herein offending, to be liable to such action, debt, and costs, in such manner, as aforesaid; all which said penalties, forfeitures, damages, and costs, to be incurred by any of the officers of the Exchequer, or any their deputies or clerks, shall and may be recovered by action of debt, bill, plaint, or information, in any of her Majesty's courts of record at *Westminster*, wherein no essoin, protection, privilege, wager of law, injunction, or order of restraint, shall be in any wise granted or allowed.

XLVIII. Provided always, and be it hereby declared, That if

No fee to be
demanded.

No undue
preference,
&c.

if it happen that several tallies of loan, or orders for payment, as aforesaid, bear date, or be brought the same day to the auditor of the receipt to be registred, then it shall be interpreted no undue preference which of those be entred first, so as he enters them all the same day.

What shall not be interpreted undue preference.

XLIX. Provided also, That it shall not be interpreted any undue preference to incur any penalty in point of payment, if the auditor direct, and the clerk of the pells record, and the tellers do pay subsequent orders to persons that come and demand their monies, and bring their orders before other persons that did not come to take their monies, and bring their orders in their course, so as there be so much money reserved as will satisfy precedent orders, which shall not be otherwise disposed, but kept for them, interest upon loan being to cease from the time money is so reserved and kept in bank for them.

I. And be it further enacted, That all and every person and persons to whom any money shall be due for loans to be registred by virtue of this act, after order entred in the book of register, as aforesaid, his executors, administrators, or assigns, by proper words of assignment, to be endorsed and written upon his order, may assign or transfer his right, title, interest, and benefit of such order, or any part thereof, to any other, which being notified in the office of the auditor of the receipt aforesaid, and an entry or memorial thereof also made in the book of registry aforesaid for orders, which the officers shall, upon request, without fee or charge accordingly make, shall entitle such assignee, his executors, administrators, and assigns, to the benefit thereof, and payment thereupon; and such assignee may, in like manner, assign again, and so *toties quoties*, and afterwards it shall not be in the power of such person or persons who have or hath made such assignments, to make void, release, and discharge the same, or any the monies thereby due, or any part thereof.

Orders assignable.

CAP. X.

An act to continue the act for punishing mutiny and desertion, and for the better payment of the army and quarters. E X P.

CAP. XI.

An act to explain so much of the act for prohibiting the exportation of corn, malt, meal, flour, bread, biscuit, and starch, and low wines, spirits, words, and wash drawn from malted corn; by which act the said commodities are admitted to be carried from the Isle of Wight to several markets; and for giving liberty to export certain quantities of oatmeal for the uses of the British hospitals beyond the seas. 1 Ann. c. 2. f. 7.

After the second of March, 1710. it shall be lawful to export corn of the growth of the Isle of Wight to Southampton, &c. in any vessel whatsoever, but not elsewhere; taking such coquets, &c. as by the former act. After 1 March, 1710. any person having a licence from the Queen, may export oatmeal, not exceeding 400 bushels for Holland, not exceeding 200 bushels to Barcelona, and not exceeding the like quantity to Lisbon, for the use of the British troops in those places. E X P.

CAP. XII.

An act for making a convenient dock or basin at Liverpool, for the security of all ships trading to and from the said port of Liverpool.

After

After 24 June, 1710. the piece of ground granted by the mayor, &c. of Leverpoole, for making a wet dock, shall for ever remain to that use. The said mayor, &c. impowered to make a wet dock. After the said 24th of June, for 21 years, shall be paid to the said mayor, &c. for every ship, &c. (except the Queen's) the rates following: For every ship trading between the said port and St. David's Head, or Carlisle, for every tun two pence; trading between St. David's Head and the lands end, or beyond Carlisle, to any part in or on this side the Shetlands, or to and from the isle of Man, for every tun three pence; trading to Ireland, for every tun four pence; trading up the Queen's channel beyond the lands end, or beyond the Shetlands, for every tun four pence; trading to Norway, Denmark, Holstein, Holland, Hamburg, Flanders, or any part of France without the streights of Gibraltar, or the islands of Jersey or Guernsey, for every tun eight pence; trading to Newfoundland, Greenland, Russia, and within the Baltick, Portugal, and Spain without the Streights, Canaries, Maderas, Western Isles, Azores, for every tun twelve pence; and for every ship trading to the West Indies, Virginia, or any other part of America, Africa, Europe, or Asia, within the Streights, or not named before, any part of Africa without the Streights, or Cape de Verde isles, for every tun one shilling and six pence. The mayor, &c. shall be trustees and make by-laws. No custom-house officer to make out any coquet for any ship, &c. till the said duties are paid. The master to produce an acquittance testifying the receipt thereof. The collector may go on board any ship to demand the duties, and if refused may distrain the ship, &c. And if not paid in ten days, then to be appraised and sold, returning the overplus. No distress till ten days after demand. The collector to keep a book to enter receipts and payments, and to deliver in his accounts upon oath, &c. The mayor, &c. may convey the duties, as a security for any sum of money, not exceeding 6000*l*. After the 24th of June, 1711. no ballast, &c. to be thrown into the dock, on penalty of a fine not to exceed 5*l*. The mayor, &c. may put in or displace any collector, &c. direct the payments, and inspect the accounts, call the collectors, &c. before them, and levy the arrears, if any, by distress and sale, and for want of distress, commit to gaol, till paid, or security given to pay. Not to extend to hinder the mayor, &c. from enjoying the waste ground, or building cranes, &c. After the expiration of the 21 years, one fourth of the duties shall be paid to the mayor, &c. Nine commissioners to be appointed to inspect the accounts; who may call the collectors, &c. before them, and order the disposal of the monies; and shall meet at Leverpoole. Ships forced in not to be charged. Nor ships to or from Chester. Saving to the said corporation, all franchises, &c. not herein provided for. Persons sued may plead the general issue, and give this act in evidence; and shall recover full costs. To be taken as a publick act. *Continued by 3 Geo. 1. not printed, and by 11 Geo. 2. c. 32.*

An act for continuing several impositions, additional impositions, and duties upon goods imported, to raise monies by way of loan, for the service of the year one thousand seven hundred and ten; and for taking off the oversea duty on coals exported in British bottoms; and for better preventing frauds in drawbacks upon certificate goods; and for ascertaining the duties of cerans imported in Venetian ships; and to give further time to foreign merchants for exportation of certain foreign goods imported; and to limit a time for prosecutions upon certain bonds given by merchants; and for continuing certain fees of the officers of the customs; and to prevent imbecilities by such officers; and for appropriating the monies granted to her Majesty; and for replacing monies paid or to be paid for making good any deficiencies on the annuity acts; and for encouragement to raise naval stores in her Majesty's plantations; and to give further time for registering debentures, as is therein mentioned.

MOST gracious sovereign, we your Majesty's most dutiful and loyal subjects, the commons of Great Britain, in parliament assembled, for the better enabling your Majesty to defray the charge of this present war, and to finish the same as successfully as the said war hath hitherto (through the Divine goodness) been carried on, and for other your Majesty's most necessary and important occasions, have cheerfully and unanimously given and granted, and do by this act give and grant to your Majesty the several and respective subsidies, impositions, and duties herein after particularly described, for and during the terms herein after expressed, and do most humbly beseech your Majesty, that it may be enacted; and be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by authority of the same, That the several impositions and duties upon wines and vinegar, granted by an act made in the first year of the reign of his late majesty King James the Second, intituled, *An act for granting to his Majesty an imposition upon all wines and vinegar imported between the twenty fourth day of June, one thousand six hundred eighty five, and the four and twentieth day of June, one thousand six hundred ninety three*, which said act by several subsequent acts of parliament since made, was continued, and is to continue until the first day of August, one thousand seven hundred and sixteen, shall by virtue of this act be further continued, and be payable to her Majesty, her heirs and successors, for and upon all wines, and vinegar, which shall be imported into Great Britain, from the last day of July, one thousand seven hundred and sixteen,

For the application of the duties arising by this act, See 9 Anne, c. 21. s. 6.

Impositions on wines and vinegar, further continued to Aug. 1710, made perpetual by 9 Anne, c. 21. s. 1. 1 Jac. 2. c. 34

1 Ja. 2. c. 3.

to the first day of *August*, one thousand seven hundred and twenty, and no longer; and that the said act so made in the first year of the reign of the said late King *James* the Second, and all powers, provisions, penalties, articles, and clauses therein contained, for or concerning the said impositions on wines and vinegar, shall continue and be in full force and effect until the said first day of *August*, one thousand seven hundred and twenty, and shall be applied, practised, and executed, for raising, levying, collecting, answering, and paying the said duties upon wines and vinegar hereby continued, and all arrears thereof, according to the tenor and intent of this present act, as fully to all intents and purposes, as if all and every the clauses, matters, and things in the said act of the first year of the reign of the said King *James* the Second contained, had been again in this act repeated and particularly enacted.

Impositions on tobacco, further continued to 1 Aug. 1720. 1 Jac. 2. c. 4. made perpetual by 9 Annæ, c. 21. s. 1, 2, 3.

II. And be it further enacted by the authority aforesaid, That the rates, duties, and impositions upon all sorts of tobacco, granted by an act made in the first year of the reign of the said late King *James* the Second, intituled, *An act for granting to his Majesty an imposition upon all tobacco and sugar imported between the twenty fourth day of June, one thousand six hundred eighty five, and the twenty fourth day of June, one thousand six hundred ninety three*, which said act, as for and concerning the said duties and impositions upon tobacco only, by several subsequent acts of parliament since made, was continued, and is to continue until the first day of *August*, one thousand seven hundred and sixteen, shall by virtue of this act be further continued and paid to her Majesty, her heirs and successors, for and upon all tobacco to be imported into *Great Britain*, from the said last day of *July*, one thousand seven hundred and sixteen, to the first day of *August*, one thousand seven hundred and twenty, and no longer.

Duties on tobacco to be levied, &c. as by 7 & 8 W. 3. c. 20.

III. Provided always, and be it enacted and declared by the authority aforesaid, That the said duty upon tobacco, which shall be imported within the times by this act limited, and all arrears thereof, shall be secured, collected, raised, levied, answered, and paid to her Majesty, in such method, and with such discount and allowances, and according to such rules and directions, and under such penalties, as are mentioned, referred to, or prescribed (as to the duties or impositions on tobacco) in and by the act made in the parliament holden in the seventh year of the reign of King *William* the Third, (of glorious memory) intituled, *An act for continuing several duties granted by former acts upon wine, vinegar, and tobacco, and East India goods, and other merchandizes imported, for carrying on the war against France, and not otherwise*.

Old impost &c. further continued to 1 Aug. 1720. 2 W. & M. s. 2. c. 4. made perpetual by 9 Annæ, c. 21. s. 1.

IV. And be it further enacted by the authority aforesaid, That the several additional and other rates, impositions, duties, and charges upon the several sorts of goods and merchandizes granted by an act made in the second year of the reign of King *William* the Third and Queen *Mary*, intituled, *An act for granting to their Majesties certain impositions upon all East India goods and merchandizes, and upon all wrought silks, and several other goods*.

goods and merchandizes to be imported after the twenty fifth day of December, one thousand six hundred and ninety, and which thereby, and by several acts of parliament already made, have continuance until the first day of *August*, one thousand seven hundred and sixteen, shall be further continued and paid to her Majesty, her heirs and successors, for and upon the like commodities to be imported into *Great Britain*, from the said last day of *July*, one thousand seven hundred and sixteen, to the first day of *August*, one thousand seven hundred and twenty, and no longer; and that the said act made in the second year of their late Majesties reign concerning *East India* goods, and other things therein charged, and all powers, provisions, penalties, articles, and clauses therein contained, shall continue and be of full force and effect until the first day of *August*, one thousand seven hundred and twenty, and shall be applied, practised, and executed, for the raising, levying, collecting, answering, and paying the said respective duties hereby continued, and all arrears thereof, according to the tenor and intent of this present act, as fully, to all intents and purposes, as if the said last-mentioned act, and all and every the clauses, matters, and things therein contained, had been again repeated and particularly enacted; except only as to such part of the said acts concerning the said impositions on wines, vinegar, tobacco, *East India* goods, and other merchandizes imported, touching which other provisions or alterations are made by any act or acts of parliament now in force; which other provisions or alterations are to be observed, and to continue during the continuance of this act, and the said act, intituled, *An act for continuing several duties granted by former acts upon wine and vinegar, and upon tobacco and East India goods, and other merchandizes imported, for carrying on the war against France*, and every article, clause, matter, and thing therein contained, for the raising, levying, securing, answering, and paying the impositions and duties on the merchandizes and commodities thereby charged, and which are by this act continued, shall be of full force and effect until the said first day of *August*, one thousand seven hundred and twenty.

V. And be it further enacted by the authority aforesaid, That the additional and other rates, duties, impositions, and charges upon the several sorts of goods and merchandizes granted by an act of parliament made in the fourth year of their said late Majesties reign, intituled, *An act for granting to their Majesties certain additional impositions upon several goods and merchandizes, for prosecuting the present war against France*, which by several subsequent acts of parliament already made, have continuance until the first day of *August*, one thousand seven hundred and sixteen, shall, by virtue of this act, be further continued, and be paid and payable to her Majesty, her heirs and successors, throughout *Great Britain*, from the last day of *July*, one thousand seven hundred and sixteen, to the first day of *August*, one thousand seven hundred and twenty, and no longer; and that the said act last mentioned, and all the powers, provisions, penalties, articles, and clauses therein contained, (ex-

7 & 8 W. 3.
c. 10. made
perpetual by
9 Ann. c. 21.
f. 1.

Additional
impost, fur-
ther continued
to 1 Aug. 1720.
4 & 5 W. & M.
c. 5.
made perpetu-
al by 9 Ann.
c. 21. f. 1.

4 W. & M. c. 5.

cept as herein after is excepted and provided) as for and concerning the said rates, duties, and impositions, shall continue and be in full force and effect, until the said first day of *August*, one thousand seven hundred and twenty, and shall be applied, practised, and executed, for the raising, levying, collecting, answering, and paying the said duties hereby continued, and all arrears thereof, according to the tenor and intent of this present act, as if the said last-mentioned act, and all and every the clauses, matters, and things, therein mentioned, had been again repeated, and particularly enacted in this present act. Provided also, That in all cases where any other provision or alteration is made by any act or acts of parliament now in being, in or about any other matter or thing contained in the said act of parliament for the impositions last-mentioned, such other provisions or alterations shall be observed, during the continuance of the term hereby granted; any thing herein contained to the contrary notwithstanding.

Duties on
whale-fins,
further conti-
nued to
1 Aug. 1720.
9 & 10 W. 3.
C. 45.
made perpe-
tual by 9 Ann.
C. 21. l. 1.

VI. And it is hereby further enacted, That the several impositions and duties, for and upon all whale-fins imported, which by an act of parliament, in the ninth year of the reign of his said late majesty King *William* the Third, intituled, *An act for taking away half the duties imposed on glass wares, and the whole duties lately laid on stone and earthen wares, and tobacco pipes, and for granting in lieu thereof, new duties on whale-fins and Scotch linen*, were granted to his said late majesty King *William*, and by subsequent acts already passed, have continuance until the first day of *August*, one thousand seven hundred and sixteen, shall be, and are hereby continued and payable to her Majesty, her heirs and successors, upon all whale-fins to be imported into *Great Britain*, from the last day of *July*, one thousand seven hundred and sixteen, to the first day of *August*, one thousand seven hundred and twenty, and no longer; and shall be raised, levied, collected, and paid in such manner and form, and by such ways and means, and under such penalties, as are mentioned in the said act for granting the said impositions on whale-fins, and *Scotch* linen; which act with all the powers, priviledges, penalties, articles, and clauses therein contained, or thereby referred to, shall continue, and be in full force, until the said first day of *August*, one thousand seven hundred and twenty, and shall be applied, practised, and put in execution, for raising and levying the said duties on whale-fins hereby continued, and all arrears thereof, as fully and effectually as if all the clauses, matters, and things therein contained, concerning the said duties on whale-fins, were repeated, and again enacted in the body of this present act.

VII. And whereas the said impositions on wines, vinegar, and tobacco, which were first granted to King *James* the Second, in the first year of his reign, and the said impositions on East India goods, and other goods charged therewith, which were first granted to their late majesties King *William* and Queen *Mary*, in the second year of their reign, and the said additional impositions which were first granted to them, in the fourth year of their reign, and the said duties

1 Jac. 2. c. 3.
& 4.
2 W. & M.
sess. 2. c. 4.
4 W. & M.
C. 5.
9 W. 3. c. 45.

on whale-fins imported, which were granted to his said late majesty King William, in the ninth year of his reign, were by several subsequent acts of parliament continued, with some exceptions and alterations, as aforesaid, until the first day of August, one thousand seven hundred and sixteen, in the manner therein mentioned, and are thereby made subject and liable (together with such other duties as are therein expressed to the satisfaction of several principal sums which were borrowed, or authorized to be borrowed, upon those acts respectively, and the interest due, and to be due for the same, which principal and interest are to be duly paid off and discharged in the first place: now it is hereby further declared and enacted by the authority aforesaid, That from and immediately after the time that all the principal and interest monies, which by the said former acts, or any of them, are charged or chargeable on the several impositions and duties last particularly mentioned (jointly with other duties) as aforesaid, shall be fully paid off and satisfied according to the true meaning of the said former acts, or that sufficient money shall be reserved in the Exchequer for that purpose; then all the monies which from thenceforth shall arise by the said impositions upon wines, vinegar, and tobacco, which were first granted to King James the Second, in the first year of his reign, and the said impositions on East India goods, and other goods charged therewith, which were first granted to their late majesties King William and Queen Mary, in the second year of their reign, and the said additional impositions which were first granted to them in the fourth year of their reign, and the said duties on whale-fins imported, which were granted to his late majesty King William, in the ninth year of his reign, for the remainders of the terms formerly granted, and therein then to come and unexpired (except the necessary charges of raising, levying, collecting, and accounting for the same) shall from time to time be paid into the receipt of the Exchequer distinctly, for the purposes in this act expressed, and for no other use, intent, or purpose, whatsoever.

After the principal, &c. of the former acts are discharged, the several duties appropriated for the uses of this act.

VIII. Provided always, and it is hereby enacted by the authority aforesaid, That it shall and may be lawful to and for any person or persons, natives or foreigners, bodies politick or corporate, to advance or lend to her Majesty, at the receipt of her Majesty's Exchequer, as well upon credit of the above-mentioned impositions and duties by this act granted or continued, as also upon credit of the monies which by the said former acts, after satisfaction of the principal and interest thereupon, as aforesaid, shall arise by the impositions and duties thereby granted, any sums which shall not exceed in the whole, one million two hundred ninety six thousand five hundred fifty two pounds, nine shillings, and eleven pence, three farthings, for the service of the war, and other her Majesty's occasions; and that all the lenders of such sums respectively shall have and receive interest, for the forbearance thereof, after the rate of six pounds *per centum per annum*; and that no money to be lent upon the security of this act, shall be taxed, rated, or assessed by any act of parliament whatsoever.

Borrowing clause at 6 l. per cent.

Lenders to
have tallies
and orders.

IX. And it is hereby further enacted, That all and every person or persons, who shall lend any money upon such credit, as aforesaid, and pay the same into the receipt of the Exchequer, shall immediately have a talley of loan struck for the same, and an order for his, her, or their repayment, bearing the same date with his, her, or their tallies; in or upon which order shall also be contained a warrant for payment of interest for the forbearance thereof, at the rate aforesaid, and to be paid every three months, until repayment of the principal; and that all such orders for repayment of money to be lent, shall be registered in course, according to their dates respectively, without other preference of the one before another; and that all and every person or persons shall be paid in course, according as their orders shall stand registered in the said register book, so as the said person, native or foreigner, his, her, or their executors, administrators, successors, or assigns, who shall have his, her, or their order or orders first entred in the said respective books of register, shall be taken and accounted the first person to be paid out of the monies to come in by this act; and he, she, or they who shall have his, her, or their order or orders next entred, shall be taken and accounted to be the second person to be paid, and so successively, and in course; and that the monies to come in, of or for the several impositions or duties by this act granted or continued, as aforesaid, as also the monies, which by the said former acts (after satisfaction of the principal and interest thereupon, as aforesaid) shall arise by the impositions and duties thereby granted, as aforesaid, shall be liable in the same order to the satisfaction of the monies to be lent, as aforesaid, to the respective parties, their executors, administrators, successors, and assigns respectively, without undue preference of one before another, and not otherwise; and shall not be diverted or divertible to any other use, intent, or purpose whatsoever; and that no fee, reward, or gratuity, directly or indirectly, be demanded or taken of any of her Majesty's subjects, for providing or making of any such books or registers, or any entries, views, or search, in or for payment of money lent, or the interest thereof, as aforesaid, by any of her Majesty's officer or officers, their clerks or deputies, on pain of payment of treble damages to the party grieved by the party offending, with treble costs of suit; or if the officer himself take or demand any such fee or reward, then he shall also lose his place or office; or if any undue preference of one before another shall be made either in point of registry or payment, or if any of the said money shall be diverted or misapplied contrary to the true meaning of this act, by any such officer or officers, then the party offending shall be liable by action of debt, or on the case, to pay the value of the debt, with damages and costs to the party grieved, and shall be forejudged of his office and place; and if such preference be unduly made by any his deputy or clerk, without the direction or privity of his master, then such deputy or clerk only shall be liable to such action, debt, damages, and

No fee for
entries, &c.

No undue pre-
ference, &c.

and costs, and shall be for ever after incapable of his place and office; and in case the auditor of the receipt shall not direct, or the clerk of the pells record, or the teller make payment according to each person's due place and order, as before directed, then he or they shall be adjudged to forfeit, and the respective deputies and clerks herein offending, to be liable to such action, debt, and costs, in such manner, as aforesaid; all which said penalties, forfeitures, damages, and costs, to be incurred by any of the officers of the Exchequer, or any of their deputies or clerks, shall and may be recovered by action of debt, bill, suit, or information, in any of her Majesty's courts of record at *Westminster*, wherein no essoin, protection, privilege, or wager of law, injunction, or order of restraint, shall in any wise be granted or allowed.

X. Provided always, and it is hereby declared, That if it happen that several tallies of loan, or orders for payment, as aforesaid, bear date, or be brought the same day to the auditor of the receipt to be registred, then it shall be interpreted no undue preference which of those he entred first, so as he enters them all the same day. Provided also, That it shall not be interpreted any undue preference to incur any penalty in point of payment, if the auditor direct, or the clerk of the pells record, or the tellers do pay subsequent orders to persons that come and demand their monies, and bring their orders, before other persons that did not come to take their monies, and bring their orders in their course, so as that there be so much money reserved as will satisfy precedent orders, which shall not be otherwise disposed, but kept for them, interest upon loan being to cease from the time the money is so reserved and kept in bank for them.

What shall not be interpreted undue preference.

XI. And be it further enacted, That all and every person and persons to whom any money shall be due for loans to be registred by virtue of this act, after order entred in the book of register, as aforesaid, his executors, administrators, or assigns, by proper words of assignment, to be endorsed and written upon his order, may assign or transfer his right, title, interest, and benefit of such order or any part thereof, to any other, which being notified in the office of the auditor of the receipt aforesaid, and an entry or memorial thereof also made in the book of registry aforesaid, for orders, which the officer shall, upon request, without fee or charge accordingly make, shall entitle such assignee, his executors, administrators, and assigns, to the benefit thereof, and payment thereon; and such assignee may, in like manner, assign again, and so *toties quoties*; and afterwards it shall not be in the power of such person or persons who have or hath made such assignment, to make void, release, and discharge the same, or any the monies thereby due, or any part thereof.

Orders assignable.

XII. And whereas in and by one act of the fifth year of her Majesty's reign, a credit was given for any sums not exceeding eight hundred twenty two thousand three hundred eighty one pounds, fifteen

E 4

5 Ann. c. 27.
f. 12.
6 Ann. c. 19.
f. 16.
7 Ann. c. 8.
f. 13.

shillings, and six pence farthing; and by another act of the sixth year of her Majesty's reign, a further credit was given for any sums not exceeding seven hundred twenty nine thousand and sixty seven pounds, fifteen shillings, and six pence three farthings; and by another act of the seventh year of her Majesty's reign, a further credit was given for any sums, not exceeding six hundred forty five thousand pounds, to be borrowed upon those acts respectively, at an interest, after the rate of six pounds per centum per annum, upon the several subsidies, impositions, and duties in the same acts respectively mentioned; and the lord high treasurer, or any three or more of the commissioners of the treasury for the time being, are by the same acts respectively authorized and directed to cause the officers of the Exchequer to receive from time to time, by way of loan, at the like interest, at the said receipt, any further sum or sums of money, as should be sufficient to make good the payment of all the interest monies appointed or allowed by the same acts respectively, every three months, until the subsidies, impositions, and duties therein mentioned should come into the Exchequer, and be sufficient for that purpose, pursuant to the intent and true meaning of the same acts respectively: now it is hereby provided and enacted by the authority aforesaid, That nothing in this act contained shall extend, or be construed to extend to the taking away, altering, or lessening the said power and direction of borrowing monies to make the payment of the said interest monies every three months, until the said subsidies, impositions, and duties, in the said respective acts mentioned, shall come in, and be sufficient for that purpose, as aforesaid, or in any wise to alter or prejudice the security given by the said several acts of the fifth, sixth, and seventh years of her Majesty's reign, or any of them, for the payment and satisfaction of the same, or any other principal and interest monies, which were secured, or intended to be secured by the same acts respectively; but that the orders for the same shall be registred in course, and paid in the same manner, upon each and every of those acts, as if this act had never been made; this present act, or any thing therein contained, or any other matter or thing whatsoever to the contrary in any wise notwithstanding.

This act not to prejudice the security of the acts 5, 6, & 7 Anna.

5 & 6 W. & M
C. 7.

XIII. And whereas by an act of parliament made in the fifth year of the reign of their said late majesties King William and Queen Mary, intituled, An act for granting to their Majesties certain rates and duties upon salt, and upon beer, ale, and other liquors, for securing certain recompences and advantages in the said act mentioned, to such persons as shall voluntarily advance the sum of ten hundred thousand pounds towards carrying on the war against France, certain duties upon salt, and rock salt, were granted from the five and twentieth day of March, one thousand six hundred ninety four, until the seventeenth day of May, one thousand six hundred ninety seven; and by an act made in the seventh year of the reign of the said late majesty King William, intituled, An act for continuing to his Majesty certain duties upon salt, glass wares, stone and earthen wares, and for granting several duties upon tobacco pipes, and other earthen wares, for carrying

7 & 8 W.
C. 31.

ing on the war against France, and for establishing a national land bank, and for taking off the duties upon tonnage of ships, and upon coals, the same rates and duties upon salt, and rock salt, were granted or continued to be paid to his said late Majesty, his heirs and successors, Kings and Queens of England, for ever; and by an act made in the first year of her now Majesty's reign, intituled,

1 Ann. stat. 1.
c. 13.

An act for making good deficiencies, and for preserving the publick credit, the said hereditary duties upon salt and rock salt are (amongst other things) appropriated and directed to be applied towards making good certain deficient funds therein mentioned, by the payment and satisfaction of all the principal monies thereupon, then really due, and all interest monies due and to grow due for the same, in the manner therein mentioned, as by the same acts may severally appear: now to the end a provision may be made for or towards the better payment of the interest monies, which shall grow due by this present act every three-months, for all the monies which shall be advanced or lent thereupon; it is hereby further enacted

by the authority aforesaid, That immediately from and after the time that all the principal and interest monies secured by the said act of the first year of her said Majesty's reign, intituled, *An act for making good deficiencies, and for preserving the publick credit*, shall be fully paid off and satisfied, or that sufficient monies shall be reserved in the Exchequer for that purpose, then all the monies which from thenceforth until the said first day of August, which shall be in the year of our Lord one thousand seven hundred and sixteen, shall arise, or be due, or payable, or be secured, or in arrear, of and for the foresaid duties upon salt, and rock salt, granted or continued by the said act of the seventh year of the reign of his said late majesty King William the Third, as aforesaid (except the necessary charges of raising, levying, collecting, and accounting for the same) shall, from time to time be paid into the receipt of Exchequer, and shall be issued and applied, so far as the same will extend, to and for the payment and satisfaction of the interest which shall, from time to time, grow due for the monies which shall be lent upon or in pursuance of this act, or of any the powers or clauses therein contained, and to none other use, intent, or purpose whatsoever; any law or statute to the contrary notwithstanding.

After all the monies secured by the act 1 Annæ, are paid off, then the duties on salt, &c. by 7 & 8 W. 3. shall be applied to this act.

XIV. Provided always, and it is hereby enacted by the authority aforesaid, That it shall and may be lawful to and for the treasurer of the Exchequer for the time being, (or any three or more of the commissioners of the treasury for the time being) and they are hereby authorized and directed to cause the officers of the said receipt of the Exchequer to receive, from time to time, by way of loans, from any person or persons, bodies politick or corporate, willing to make the same at the said receipt, such further sum and sums of money (over and above the sums which shall be lent for the service of the war, and other her Majesty's occasions, as aforesaid) as shall be sufficient, together with the monies coming in by the duties upon salt and rock salt, as aforesaid, to compleat and make good the full payment

Clause of loan to secure the intermediate interest.

of all the interest monies due or payable by this act, or by any clause therein contained, every three months, until the said impositions and duties granted by this act, or the arrears arising by the said former acts, or any of them, first happening, shall come into the Exchequer, and be sufficient for that purpose, pursuant to the true intent and meaning hereof; and that the loans so to be made for the said intermediate interest, shall bear the like interest, and shall be free from taxes, and the principal thereof shall be paid in course, according to the dates of the respective tallies for the same, and the interest thereof, every three months, out of the duties granted, and other provisions made by this act, in the same manner, and as fully and effectually as if such loans were part of the said sum not exceeding one million two hundred ninety six thousand five hundred fifty two pounds, nine shillings, and eleven pence three farthings, hereby authorized to be lent, as aforesaid; any thing herein contained to the contrary in any wise notwithstanding.

Oversea duties on coals in British bottoms, after 25 Dec. 1710. to cease.
6 Ann. c. 22.

XV. *And whereas by an act of parliament made in the sixth year of her Majesty's reign, intituled, An act for continuing several duties therein mentioned upon coffee, chocolate, spices, pictures, and muslins, and additional duties upon several of the said commodities, and certain duties upon callicoes, China wares, and drugs, and for continuing the duties called the two third subsidies of tonnage and poundage, for preserving the public credit; and for ascertaining the duties of coals exported to foreign parts; and for securing the credit of the bank of England; and for passing several accounts of taxes raised in the county of Monmouth; and for promoting the consumption of such tobacco as shall have paid her Majesty's duties; it is amongst other things enacted, That all coals exported beyond the seas, from and after the end of the then present session of parliament, until the twenty fifth day of March, one thousand seven hundred and fifteen, and from thence to the end of the then next session of parliament, from Great Britain in British bottoms, shall only pay three shillings the chaldron, and after that rate for greater or lesser quantities; any former law or statute to the contrary notwithstanding, as by the same act more at large may appear: and whereas the said duty is a great hindrance to the British navigation, and lessens the exportation of coals from Great Britain to parts beyond the seas; be it therefore enacted by the authority aforesaid, That from and after the five and twentieth day of December, in the year one thousand seven hundred and ten, the said duty of three shillings per chaldron shall cease, and be no longer paid; any thing in the said act to the contrary thereof in any wise notwithstanding.*

Clause to prevent frauds in drawbacks upon certificate goods.

XVI. *And whereas by the laws of this realm, every person importing tobacco, and other foreign goods, from any part of Great Britain, is entitled to a drawback of part of the duties paid or secured at the importation thereof; and it hath been found by experience, that great quantities of such tobacco and other foreign goods after they have been shipped for exportation, have been privately reloaded in this realm; and the remedies already provided by law, have not been sufficient*

scient to obviate a practice so very prejudicial to her Majesty's revenue, and to all fair and honest traders in such goods: for the better prevention whereof for the future, be it further enacted by the authority aforesaid, That from and after the seven and twentieth day of March, one thousand seven hundred and ten, in case any tobacco, or other foreign goods, contained or specified in any certificate whereupon any such drawback is to be made, or whereupon any debenture is to be made forth for any such drawback, shall not be really and *bona fide* shipped and exported (the danger of the seas and enemies excepted) or shall be landed again in any part of *Great Britain*, unless in case of distress to save the goods from perishing, which shall be presently made known to the person or persons which are or shall be appointed by her Majesty to manage her customs, or principal officers of the port; then not only all such tobacco and other certificate goods shall be forfeited and lost, but also the person or persons (being the exporters, or any others) who shall bring back, or cause, or procure to be re-landed such tobacco, and other certificate goods, or any of them, in any part of *Great Britain*, or be assisting, or otherwise concerned in the unshipping the same, or to whose hands the same shall knowingly come, after the unshipping thereof, or by whose privity, knowledge, or direction the said tobacco and other goods, or any part thereof, shall be so re-landed, shall forfeit double the amount of the said drawback for such goods, together with the vessels and boats, and all the horses or other cattle and carriages whatsoever, made use of in the landing, removing, carriage, or conveyance of the same; one moiety of all which penalties or forfeitures shall be to the use of her Majesty, and the other moiety to him or them that shall inform, seize, or sue for the same, to be recovered by bill, plaint, or information, in any of her Majesty's courts of record at *Westminster*, or in the court of *Exchequer* in *Scotland*, at any time or times within five years after the offence shall be committed; wherein no essoin, protection, or wager of law shall be allowed.

See 12 Ann.
Stat. 2. c. 8. l. 12,
& 5 Geo. 1.
c. 11. s. 5.

Such goods re-landed, forfeited, and double the value of the drawback, with the vessel, &c.

Seizures made by virtue of this act, to be determined by two justices of peace, 8 Geo. 1. c. 12. s. 16.

XVII. And it is hereby enacted, That if any officer of the customs shall connive or assist in any fraud, relating to such certificate goods, as aforesaid, such officer (over and above any other penalties, to which he is or may be liable by this or any other act) shall forfeit his office, and be rendered incapable of serving her Majesty for the future, and suffer six months imprisonment, without bail or mainprize; and if any master, commander, or other person belonging to any ship or vessel, shall assist in, or connive at the fraudulent landing any such certificate goods, as aforesaid, he, she, or they (over and above all other penalties provided by this, or any other act or acts now in force) shall for every such offence suffer imprisonment by the space of six months, without bail or mainprize.

Officers conniving, incapacitated, and imprisoned for 6 months.

Master conniving, imprisoned for 6 months.

XVIII. And for preventing the running of tobacco into this kingdom, under pretence of exporting the same to *Ireland*; be it enacted by the authority aforesaid, That no debenture shall be

No debenture for tobacco to *Ireland*, till a certificate

from the collector, &c. in Ireland, of the landing the same there, by 6 Geo. 1. c. 21. s. 48. 21. per *mt. to be allowed for tobacco exported to Ireland in case of waste.*
 Fee 1s.

be paid or allowed for any tobacco exported from any port of *Great Britain*, to the kingdom of *Ireland*, until a certificate shall be produced under the hands and seals of the collector, comptroller, and surveyor of the customs of any port in *Ireland*, or any two of them, where such goods shall be landed, testifying the landing thereof, (the danger of the seas, or enemies excepted) any law to the contrary notwithstanding; which certificate the collector, comptroller, and searcher of the customs, or any two of them, of each port in *Ireland*, are impowered and required to deliver forthwith, upon the discharge of such tobacco, and not to take above one shilling fee for making out and delivery of such certificate.

Master carrying certificate goods to *Ireland* to take a duplicate of his content from the collector, &c.
 No debenture for tobacco exported in any ship under 20 tuns.

XIX. And as a further security of her Majesty's revenues, both in *Great Britain* and *Ireland*; be it enacted by the authority aforesaid, That the master of every ship carrying such certificate goods to *Ireland*, shall demand and take from the collector of every respective port of *Great Britain*, a duplicate of his content in writing, certified under the hand and seal of the collector and comptroller of such port (which said duplicate the collector and comptroller of each port in *Great Britain*, are hereby required to deliver to every master, without fee or reward) and such master shall be obliged to deliver such duplicate to the officers of the customs in *Ireland* on his arrival, before he be permitted to land such goods there.

XX. And whereas an illegal trade is usually carried on in small vessels or boats; be it enacted by the authority aforesaid, That no debenture shall be made forth, nor any drawback be paid or allowed for any tobacco exported to any place, in any ship or vessel under the burthen of twenty tuns; any law, statute, or usage to the contrary notwithstanding.

Recital of 3 & 4 Ann. c. 5.

XXI. And whereas by an exception or clause contained in an act made in the third year of her Majesty's reign, intituled, An act for granting to her Majesty a further subsidy on wines and merchandizes imported, it was provided, That such corans as should be imported in English built shipping, navigated according to law, should be exempted from paying the two third subsidy granted by the said act: and whereas by a clause in an act made in the fourth year of her Majesty's reign, for continuing an additional subsidy of tonnage and poundage, it was amongst other things enacted and declared, That the exception contained in the aforesaid act, whereby corans imported in English built shipping, navigated according to law, were exempted from the said duty, should be extended to such corans as, after the five and twentieth day of March, one thousand seven hundred and six, should be imported in ships belonging to any of the subjects of the republic of Venice, so that they also should be exempted from payment of the two thirds subsidy granted by the aforesaid act; any thing therein contained to the contrary notwithstanding: and whereas by an act made in the sixth year of her Majesty's reign, for continuing the several duties therein mentioned, the said two thirds subsidies were continued for three years, from the seventh day of March, one thousand seven hundred and eight, with an exception as to corans imported in English built shipping, according to the said act of the third

4 Ann. c. 6.

6 Ann. c. 22.

third year of her Majesty's reign, and no notice is taken of the ex-
 planation thereof in the said act of the fourth of her Majesty's reign,
 as to Venetian shipping also, whereby some doubts have arisen; whe-
 ther corans imported in Venetian shipping ought to be exempted from
 the continuation of the two thirds subsidy, according to the provision
 before recited in the said act of the fourth year of her Majesty's reign,
 extending the exemption to them: for preventing which doubts, and
 in regard it would be very hard to restrain subjects of Venice from
 importing the goods of their own growth in their own shipping; be it
 therefore declared and enacted by the authority aforesaid, That
 the said clause in the act of the fourth year of the Queen's reign,
 for exempting corans imported in Venetian shipping from pay-
 ing the duty of two thirds subsidy, was intended, and is to be
 understood, from the time of passing the same act, to be a per-
 petual clause attending the continuation of that duty, and not
 limited unto the first grant thereof; any thing in the said act
 of the sixth, or in any other subsequent act, to the contrary in
 any wise notwithstanding.

Corans im-
 ported in Ve-
 netian ships
 subject to 4
 Ann.

XXII. And whereas by an act of parliament made and passed in
 the second and third year of the reign of her present Majesty our most
 gracious sovereign lady Queen Anne, intituled, An act for granting
 to her Majesty an additional subsidy of tonnage and poundage
 for three years, and for laying a further duty upon French wines
 condemned as lawful prize, and for ascertaining the value of
 unrated goods imported from the East Indies, it is therein, amongst
 other things, enacted, That all English merchants should, from and
 after the eighth day of March, one thousand seven hundred and three,
 have eighteen months time allowed them from the entry inwards for the
 exportation of all tobacco, sugar, ginger, pepper, bugles, cast and bar
 iron, dying wood, dying wares, and drugs, and should have the like
 benefit and drawback by such exportations, as if the same had been
 exported within twelve months: and whereas the time allowed to so-
 reigners for exportation of such goods is limited to nine months, which
 by experience is found to be too short, and very inconvenient to trade;
 be it therefore enacted by the authority aforesaid, That all fo-
 reign merchants, or all British merchants commissioned by them,
 shall from and after the seven and twentieth day of March, one
 thousand seven hundred and ten, have fifteen months time
 from the entry inwards of all tobacco, sugar, ginger, pepper,
 bugles, cast and bar iron, dying wood, dying wares, and drugs
 (already imported or to be imported) allowed them to export the
 same, and shall have the like benefit and drawback by such ex-
 portation, as if the same had been exported within nine months,
 according to the second rule in the book of rates; the said rule,
 or any other law or custom now in force relating thereunto not-
 withstanding: provided certificates be taken forth, and oath
 made, and all other requisites performed, according to the laws
 now in being.

Recital of 2 &
 3 Ann. c. 9.

Foreign mer-
 chants to have
 15 months
 time for ex-
 portation of
 certain foreign
 goods.

These 15
 months ex-
 tended to 3
 years, &c.
 by 7 Geo. 1.
 stat. 1. c. 21.
 l. 10.

XXIII. And whereas the laws of this realm do require, That for
 ships trading to or in her Majesty's plantations, lading sugars and other
 enumerated commodities there, bonds be given, which are commonly
 called plantation bonds, with condition to bring the same goods to Great

Clause to limit
 a time for
 prosecutions
 upon planta-
 tion bonds:

11 Car. 2. c. 18. Britain, or to some other of her Majesty's plantations, or to that effect:
 22 & 23 Car. 2. c. 16. now to prevent the discouragement which persons trading to and from
 25 Car. 2. c. 7. the said plantations do. or may lie under by the said bonds lying out a-
 gainst them, although the conditions thereof are or shall have been
 performed; be it enacted by the authority aforesaid, That as to
 such of the said plantation bonds as have been entred into at any
 time or times before the eight and twentieth day of *March*, one
 thousand seven hundred and ten, and are now remaining in the
 hands of any of her Majesty's officers, in case there shall be no
 prosecution for some breach or non-performance of the respec-
 tive conditions thereof before the eight and twentieth day of
March, one thousand seven hundred and thirteen, or if upon
 such prosecution judgment be not obtained for her Majesty be-
 fore the eight and twentieth day of *March*, one thousand seven
 hundred and fifteen, then such of the said plantation bonds, so
 already entred into, shall (for want of such prosecution or judg-
 ment) be void; and as to such plantation bonds as shall be
 entred into after the said eight and twentieth day of *March*, one
 thousand seven hundred and ten, in case there shall be no pro-
 secution for some breach or non-performance of the respective
 conditions thereof, within three years after the dates thereof, or
 if upon such prosecution as is last-mentioned judgment be not
 obtained for her Majesty within the space of two years after the
 same prosecution commenced, then every such plantation bond,
 which shall hereafter be entred into, as aforesaid (in default of
 such prosecution to be commenced, and judgment to be obtain-
 ed within the times before limited) shall also be void: and all
 the said plantation bonds so made void by this act, shall be de-
 livered up by the officers, having the same in their keeping, to
 be cancelled, without fee or reward.

Or upon
 wrought silk,
 and other
 commodities
 mentioned in
 11 & 12 W. 3.
 c. 10.

XXIV. *And whereas by an act made in the eleventh year of the
 reign of his said late majesty King William the Third, intituled, An
 act for the more effectual employing the poor, by encouraging
 the manufactures of this kingdom, upon the exportation of wrought
 silks, and other commodities therein mentioned, security is to be taken
 in the manner therein express: now in regard it may happen some of
 these goods may be vendid in foreign parts, from which no certificate
 can be produced, as the said act requires, to discharge the security
 last-mentioned; be it enacted by the authority aforesaid, That
 as to such of the securities last-mentioned, as have been
 entred into at any time or times, before the eight and twentieth
 day of *March*, one thousand seven hundred and ten, and are
 now remaining in the hands of any of her Majesty's officers, in
 case there shall be no prosecution for some breach, or non-per-
 formance of the respective conditions thereof, before the eight and
 twentieth day of *March*, one thousand seven hundred and thirteen,
 or if upon such prosecution judgment be not obtained for her Ma-
 jesty before the eight and twentieth day of *March*, one thousand
 seven hundred and fifteen, then such of the said securities so al-
 ready entred into upon exportation of such silks, and other com-
 modities last-mentioned, shall (for want of such prosecution or
 judgment) be void; and as to such securities as shall be entred into,*
 after

after the said eight and twentieth day of *March*, one thousand seven hundred and ten, upon exportation of such wrought silks, and other commodities as are last-mentioned, in case there shall be no prosecution for some breach, or non-performance of the respective conditions thereof, within three years after the dates thereof, or if upon such prosecution as is last-mentioned; judgment be not obtained for her Majesty within the space of two years after the same prosecution commenced, then every such security relating to wrought silks or such other goods as are last-mentioned, which shall hereafter be entred into, as aforesaid, (in default of such prosecution to be commenced, and judgment to be obtained within the times before limited) shall also be void; and all such securities so made void by this act, shall be delivered up by the respective officers, having the same in their keeping, to be cancelled without fee or reward.

XXV. And it is hereby enacted by the authority aforesaid, That if any officer of her Majesty's revenue, having the custody of any of the bonds by this act required to be delivered up to be cancelled, as aforesaid, shall upon reasonable demand refuse or neglect to deliver up such bonds, according to the purport and true meaning of this act, then the officer so offending, shall for every such offence, be, and is hereby made liable to answer to the party grieved, all his damages, together with treble costs of suit.

Officer not delivering up such bonds, to pay damages and treble costs.

XXVI. And in regard the subsidy of tonnage and poundage on merchandizes exported is to determine from and after the last day of July, one thousand seven hundred and ten, but it is nevertheless necessary, that the respective officers of the customs, as well outwards as inwards, do continue to perform the duties of their respective offices, as well to prevent frauds in relation to the drawbacks upon certificate goods, as to hinder the exportation of goods prohibited to be exported, and for other causes wherein the publick service is or may be concerned; be it therefore enacted by the authority aforesaid, That the fees of the officers of the customs, as well in the port of *London* as in other ports of *Great Britain*, which were established or ~~allowed~~ by the act of tonnage and poundage, made in the twelfth year of the reign of King *Charles* the Second, or by any of the rules annexed therunto, or by any act or acts of parliament since made, touching any such fees, and which may lawfully be taken by any such officers, or their deputies, from any her Majesty's subjects or strangers, until the first day of *August*, one thousand seven hundred and ten, for any coquets, certificates, entries, clearings, bonds, debentures, endorsements, sufferances, transires, lett-passes, warrants, and other matters and things relating to the duties of their respective offices, shall after the said last day of *July*, one thousand seven hundred and ten, continue, and be paid and payable for the same, until the said fees, or any of them shall be altered by the commons of *Great Britain* in parliament, as fully as if the said fees, or any table or tables thereof formerly allowed,

Custom fees allowed by 12 Car. 2. c. 4. continued till altered by parliament.

were

were particularly let down, or referred to in the body of this act; the determination of the said subsidy outwards, or any act or acts of parliament, or other matter or thing to the contrary notwithstanding.

Officer imbezilling any goods, forfeits double the value, with full costs.
XXVII. And be it enacted by the authority aforesaid, That if any officer or officers of the customs, shall, contrary to his duty, imbezil any goods or merchandizes lodged in any warehouse, in his or their custody or possession, such officer and officers, for every such offence, shall forfeit double the value of the goods so imbezilled, to the parties grieved, with full costs, to be recovered as other penalties by this act are recoverable.

Appropriation of the monies given this session.
3 Ann. c. 1.
XXVIII. And be it enacted by the authority aforesaid, That all the monies lent, and to be lent unto her Majesty, on one act of this session of parliament, intituled, *An act for granting an aid to her Majesty, to be raised by a land tax in Great Britain, for the service of the year one thousand seven hundred and ten*, and so much money (if any such be) of the tax thereby granted, as shall arise, and remain after all the loans made or to be made upon that act, and the interest thereof, and the charges thereby allowable for the raising the said tax, shall be satisfied, or money sufficient shall be reserved to discharge the same; and all the monies lent and to be lent unto her Majesty, upon another act of this session of parliament, intituled, *An act for charging and continuing the duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and ten*, and so much money of the said duties of malt, mum, cyder, and perry, thereby granted, as shall arise and remain, after all the loans made or to be made upon that act, or thereby transferred or directed to be transferred thereunto, and the interest thereof, and the charge thereby allowable for raising the said duties thereby granted, shall be satisfied, or money sufficient shall be reserved to discharge the same; and all the money arisen or to arise by another act of this session of parliament, intituled, *An act for continuing part of the duties upon coals, culm, and cynders, and granting new duties upon houses having twenty windows or more, to raise the sum of fifteen hundred thousand pounds, by way of a lottery, for the service of the year one thousand seven hundred and ten*; and all the money arisen or to arise by another act of this session of parliament, intituled, *An act for granting to her Majesty new duties of excise, and upon several imported commodities; and for establishing a yearly fund thereby, and by other ways and means, to raise nine hundred thousand pounds, by sale of annuities; and (in default thereof) by another lottery, for the service of the year one thousand seven hundred and ten*; and all the monies lent or to be lent unto her Majesty upon one other act of this session of parliament, intituled, *An act for laying certain duties upon candles, and certain rates upon monies to be given with clerks and apprentices, towards raising her Majesty's supply for the year one thousand seven hundred and ten*; and the sums intended to be raised by loans, in pursuance of this present act; shall be appropriated for or towards the

3 Annæ, c. 4.
3 Annæ, c. 7.
3 Annæ, c. 9.

the several uses and purposes herein after expressed: that is to say, For or towards the defraying the charges of the ordinary of her Majesty's navy, and for victuals, wages, wear and tear, and other services of the navy, and the victualling thereof, performed and to be performed, and for the sea service in the office of the ordnance, performed and to be performed; and for or towards the land service, performed and to be performed by the office of the ordnance, including the charge of the fortifications of *Gibraltar*, and to and for subsistence, off-reckonings, and clearings, for one year, from the three and twentieth day of *December*, one thousand seven hundred and nine, to her Majesty's guards and garrisons in *Great Britain*, and the contingent charges of the same, and for payment of invalids for the said year, beginning from the said three and twentieth day of *December*, one thousand seven hundred and nine; and for or towards the defraying the charges of her Majesty's army, and such forces as are or shall be added thereunto in the low countries, or *Germany*, within or for one year, to be reckoned from the said three and twentieth day of *December*, one thousand seven hundred and nine, and the contingent charges thereunto belonging; and for or towards her Majesty's proportion of the charge of three thousand *Palatines*, formerly taken into the service of her Majesty, and the states general, for the year one thousand seven hundred and ten; and for or towards her Majesty's proportion of the charge of four thousand six hundred thirty nine *Saxons*, formerly taken into the service of her Majesty, and the states general, for the year one thousand seven hundred and ten; and for or towards her Majesty's proportion of the charge of *Bothmar's* regiment of dragoons, consisting of eight hundred men, formerly taken into the service of her Majesty and the states general, for the year one thousand seven hundred and ten; and for defraying her Majesty's proportion of the charge of the troops of augmentation, which have been resolved to be continued for the service of the year one thousand seven hundred and ten; and for defraying the charge of maintaining the forces in her Majesty's pay, to serve in *Spain* and *Portugal*, or elsewhere, for the service of this said year one thousand seven hundred and ten; and for or towards the payment of her Majesty's proportion of the subsidies due upon treaties made or to be made with her Majesty's allies, and other charges for the service of the war, for any time before or until the five and twentieth day of *December*, one thousand seven hundred and ten; and for or towards the payment of a year's interest further on the unsatisfied debentures charged upon the *Irish* forfeitures; and for or towards the transporting of land forces, performed and to be performed; and for or towards the discharging the *præmiums*, and other charges for the circulating the old Exchequer bills for another year; and for or towards the defraying extraordinary charges of the war already incurred, and not before this time provided for by parliament; and for payment of the general officers to serve in *Flanders*, in

the year one thousand seven hundred and ten, according to the seasons in which they have or shall have served by their respective commissions; and to no other use, intents, and purposes whatsoever: provided always, That out of the monies to be issued to the guards and garrisons, as aforesaid, there shall and may be taken and applied any sum not exceeding eighty seven thousand one hundred twenty five pounds, and ten shillings, towards the charge of maintaining the soldiers raised and to be raised for sea service, with their officers, and the contingent charges thereunto belonging; and out of the monies to be issued for the service of the navy and sea service, as aforesaid, there shall be taken and applied such sums, as, together with the said sum, not exceeding eighty seven thousand one hundred twenty five pounds, and ten shillings, shall be necessary for the charge of maintaining the said soldiers for sea service, with their officers, and the contingent charges thereunto belonging; any thing herein contained to the contrary notwithstanding.

Clause for replacing monies paid for making good any deficiencies on the annuity acts.

1 Ann. stat.

c. 5.

2 & 3 Ann.

c. 3.

3 & 4 Ann.

c. 2.

5 Ann. c. 19

6 Ann. c. 5.

& 11.

8 Ann. c. 7.

XXIX. *An Act in full power of parliament that have passed since her Majesty's accession to the throne, upon or by virtue whereof of certain annuities for lives, years, or in perpetuity, have been purchased, obtained, or secured to be paid at the receipt of her Majesty's Exchequer, it has been specially provided or enacted to the purport or effect following; that is to say, That in case the duties or revenues, settled or established by the said respective acts, to be the fund or funds upon which such annuity or annuities, or any of them, are severally charged, should at the end of any year of the respective terms, estates, or interests by the said acts severally granted, of and in such annuities, exceed, by their income into the said Exchequer within such year, all the monies due for or upon the same annuity or annuities, in or for the same year respectively, and all arrears thereof, such excess or surplus should be disposable in time to time, by authority of parliament, for the publick use and service, and not otherwise, as in and by the said several acts, relation being thereunto had, may more fully appear: and whereas some doubt has arisen, whether the monies not being monies of the said funds, or any of them, which have been, or may be directed to be applied, from time to time, to aid the deficiency or deficiencies, of any of the funds upon which the said annuity or annuities, or any of them, are severally charged, may or may not be made good again out of the excess or surplus, remaining disposable by authority of parliament, of the particular fund or funds, and by such monies or surplus, when such excess or surplus shall at the end of every year, happen to arise: for remedy whereof, it is hereby enacted; and be it enacted by the authority aforesaid, That it shall and may be lawful to and for the lord high treasurer of Great Britain, or for any three or more of the commissioners of the treasury for the time being, by warrant under his or their hands, at any time or times hereafter, to charge the said undisposed surplus or excess which shall remain at the end of every or any year of the fund or funds which have been or shall hereafter happen to be deficient, with the repayment and satisfaction of such sum and sums of money as have been, or shall, from time to time, be applied to aid*

aid or make good such particular deficiency, and all and every such sum and sums of money shall and may, from time to time, be retained and kept out of every such excess and surplus, and be issued and applied to such uses and purposes as the monies, so from time to time issued to aid or make good such particular deficiency or deficiencies, should or might have been applied, in case such deficiency or deficiencies had not happened; any clauses, matters, or things in the said acts, or any of them, or in any other act or acts of parliament to the contrary thereof in any wise notwithstanding.

XXX. *And whereas by an act of parliament made in the third year of her Majesty's reign, intituled, An act for encouraging the importation of naval stores from her Majesty's plantations in America; the sum of four pounds per ton is allowed, as a præmium or encouragement for importing of pitch and tar; and three pounds per ton for importing of resin and turpentine from the said plantations into this kingdom; as likewise six pounds per ton for all water-rotted hemp, bright and clean; and one pound per ton for all masts, yards, and bowsprits imported, as aforesaid; and in regard it is by experience found, That the said præmiums and encouragements are defective, and that the good and profitable ends by the said act of parliament proposed, cannot be attained without sufficient numbers of skilful people, and proper utensils and materials necessary to be employed for raising such naval stores; be it therefore enacted by the authority aforesaid, That it shall and may be lawful for her Majesty to apply any sum or sums out of the supplies granted in this present session of parliament, not exceeding the sum of ten thousand pounds in the whole, for and towards the subsistence and employment of a number of skilful people, and for furnishing of fit utensils and materials for effectually carrying on the said good and profitable designs of raising such naval stores from the growths and products of the said plantations.*

XXXI. *And whereas several officers and other proprietors of debentures made forth by the late paymaster of the army, commissioners for transports, and by the commissioners of accounts in that behalf authorised respectively, have omitted to register the said debentures within the times limited by acts of parliament for that purpose: for the relief therefore of all such officers and other proprietors of the said unregistered debentures, be it enacted by the authority aforesaid, That it shall and may be lawful to and for all such officers and other proprietors of the said unregistered debentures, who have not registered the same, to register their debentures on or before the nine and twentieth day of December, one thousand seven hundred and ten; which said debentures being so registered, shall and are hereby entitled to all the benefit of interest, and other advantages, as if registered on or before the nine and twentieth day of September, one thousand seven hundred and nine.*

Clause to encourage the raising naval stores in her Majesty's plantations.
3 & 4 Ann.
c. 10.

Unregistered debentures may be registered before
29 Dec. 1710.

CAP. XIV.

An act for the better security of rents, and to prevent frauds committed by tenants.

After the first day, 1710. No. 1000. &c. shall be taken in execution, &c. unless the party before removal of the goods, &c. pay the landlord the rent due.

Provided it amount to no more than 1 year's rent

The sheriff, &c. to levy the rent as well as the execution money. If any lessee, &c. shall fraudulently carry off goods, &c. the lessor, &c. may within 5 days after seize such goods, &c. and sell the same as if they had been distrained.

Provido, such lessor, &c. shall not seize

FOR the more easy and effectual recovery of rents reserved on leases for life or lives, term of years, at will, or otherwise, be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in parliament assembled, and by the authority of the same, That from and after the first day of *May*, which shall be in the year of our Lord one thousand seven hundred and ten, no goods or chattels whatsoever, lying or being in or upon any messuage, lands or tenements, which are or shall be leased for life or lives, term of years, at will, or otherwise, shall be liable to be taken by virtue of any execution on any pretence whatsoever, unless the party at whose suit the said execution is sued out, shall before the removal of such goods from off the said premises, by virtue of such execution or extent, pay to the landlord of the said premises, or his bailiff, all such sum or sums of money as are or shall be due for rent for the said premises at the time of the taking such goods or chattels by virtue of such execution; provided the said arrears of rent do not amount to more than one year's rent; and in case the said arrears shall exceed one year's rent, then the said party, at whose suit such execution is sued out, paying the said landlord, or his bailiff, one year's rent, may proceed to execute his judgment, as he might have done before the making of this act; and the sheriff or other officer is hereby empowered and required to levy and pay to the plaintiff as well the money so paid for rent, as the execution money.

II. And be it further enacted by the authority aforesaid, That in case any lessee for life or lives, term of years, at will, or otherwise of any messuages, lands, or tenements, upon the demise whereof any rents are or shall be reserved or made payable, shall from and after the said first day of *May*, fraudulently or clandestinely convey or carry off or from such demised premises any goods or chattels, with intent to prevent the landlord or lessor from distraining the same for arrears of such rent so reserved, as aforesaid, it shall and may be lawful to and for such lessor or landlord, or any person or persons by him for that purpose lawfully empowered, within the space of five days next ensuing such conveying away or carrying off such goods or chattels; as aforesaid, to take and seize such goods and chattels where ever the same shall be found, as a distress for the said arrears of such rent; and the same to sell, or otherwise dispose of, in such manner, as if the said goods and chattels had actually been distrained by such lessor or landlord, in and upon such demised premises for such arrears of rent; any law, custom, or usage to the contrary in any wise notwithstanding.

III. Provided nevertheless, That nothing in this act contained shall extend, or be construed to extend, to empower such lessor

lessor or landlord to take or seize any goods or chattels as a distress for arrears of rent, which shall be sold *bona fide*, and for a valuable consideration, before such seizure made; any thing herein contained to the contrary notwithstanding.

any goods, &c. which shall be *bona fide* sold before. 11 Geo. 2. c. 19. Debt may be brought for life or rent.

IV. And whereas no action of debt lies against a tenant for life or lives, for any arrears of rent, during the continuance of such lease for life or lives, be it enacted by the authority aforesaid, That from and after the said first day of May, it shall and may be lawful for any person or persons, having any rent in arrear or due upon any lease or demise for life or lives, to bring an action or actions of debt for such arrears of rent, in the same manner as they might have done, in case such rent were due and reserved upon a lease for years.

V. And it is hereby further enacted and declared by the authority aforesaid, That all distresses hereby impowered to be made, as aforesaid, shall be liable to such sales, and in such manner, and the monies arising by such sales to be distributed in like manner, as by an act made in the second year of the reign of their late majesties King William and Queen Mary, intituled, *An act for enabling the sale of goods distrained for rent, in case the rent be not paid in reasonable time*, is in that behalf directed and appointed.

Distresses liable to such sales, and to be distributed, as by the act 2 W. & M. sess. 1. c. 5.

VI. And whereas tenants pur auter vie and lessees for years, or at will, frequently hold over the tenements to them demised, after the determination of such leases: and whereas after the determination of such, or any other leases, no distress can by law be made for any arrears of rent that grew due on such respective leases before the determination thereof; it is hereby further enacted by the authority aforesaid, That from and after the said first day of May, one thousand seven hundred and ten, it shall and may be lawful, for any person or persons, having any rent in arrear or due upon any lease for life or lives, or for years, or at will, ended or determined, to distrain for such arrears, after the determination of the said respective leases, in the same manner as they might have done, if such lease or leases had not been ended or determined.

Rent in arrear upon a lease for life, &c. expired, may be distrained for after the determination of the lease.

VII. Provided, That such distress be made within the space of six kalendar months after the determination of such lease, and during the continuance of such landlord's title or interest, and during the possession of the tenant from whom such arrears became due.

Distress to be within six months after the end of the lease, and during the landlord's title and tenant's possession.

VIII. Provided always, and it is hereby enacted and declared by the authority aforesaid, That nothing in this act contained shall extend, or be construed to extend, to let, hinder, or prejudice her Majesty, her heirs or successors, in the levying, recovering, or seizing any debts, fines, penalties, or forfeitures, that are or shall be due, payable, or answerable to her Majesty, her heirs or successors; but that it shall and may be lawful for her Majesty, her heirs and successors, to levy, recover, and seize such debts, fines, penalties, and forfeitures, in the same man-

This act shall not hinder the Queen, &c. to levy, &c. any debts, fines, &c. due to the crown.

ner as if this act had never been made; any thing in this act contained to the contrary thereof in any wise notwithstanding.

CAP. XV.

An act for explaining and enlarging an act of the sixth year of her Majesty's reign, intituled, An act for the security of her Majesty's person and government.

6 ANNÆ, C. 14.

WHEREAS by an act made in the sixth year of her present Majesty's reign, intituled, An act for the better security of her Majesty's person and government, it is amongst other things enacted, That all officers, civil and military, in that part of the kingdom of Great Britain called Scotland, who were obliged and required to take in Scotland, an oath, called the oath of allegiance and assurance, before the privy council there, shall be obliged, on or before the twentieth day of April, one thousand seven hundred and eight, to take and subscribe the oath by the said act appointed, before the privy council while it should continue, and after the determination thereof before and in the court of session, or the court of judicatory, or the court of Exchequer there; and that all others then in any of the affairs aforesaid, who in respect thereof had used and been obliged to take the said oath of allegiance and assurance in any other court and place, should be obliged to take and subscribe the same at the next quarter sessions of the peace that should be held for any county or place in which any such officer should be resident or abiding; and that all and every person or persons whatsoever, who should after be admitted into any office, civil or military, within that part of Great Britain called Scotland, should, within three months after his admittance into any such office, be obliged to take the oath appointed by the said acts in the respective courts above-mentioned, according to the distinction therein and above-mentioned, persons then in office: and whereas several persons bearing such offices, and who were likewise members of parliament, or otherwise necessarily absent, were at the time of making the said act, detained in England, by their service in parliament, and upon other public and important occasions, so that they were rendered incapable of repairing to the courts aforesaid, within the time in the said act directed: and whereas it may happen, that persons provided to officiate in Scotland, may, for attending the public service, or for other important causes, be detained in England, and thereby cannot take the oaths in Scotland, within the time required by the laws: for remedy whereof, be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and the commons in this present parliament assembled, and by authority of the same, That if any person or persons that have been or are in any office, civil or military, in Scotland aforesaid, shall, on or before the eight and twentieth day of June, one thousand seven hundred and ten, take and subscribe the oath or abjuration in the aforesaid act mentioned, and shall also take and subscribe the oath of allegiance, and subscribe the assurance in the words following, viz.

I A. B.

Any officer, either civil or military, in Scotland, may before 28 June, 1710, take and subscribe the oath of abjuration, &c., and likewise subscribe the assurance.

I A. B. do sincerely promise and swear, That I will be faithful, and bear true allegiance to her majesty Queen Anne.
So help me G. D.

I A. B. do in the sincerity of my heart, assert, acknowledge, and declare, That her majesty Queen Anne is the only lawful and undoubted sovereign of this realm, as well de jure, that is, of right, Queen, as de facto, that is, in the possession and exercise of the government: and therefore I do sincerely and faithfully promise and engage, That I will, with heart and hand, life and goods, maintain and defend her Majesty's title and government, against the pretended prince of Wales, and his adherents, and all other enemies, who either by open or secret attempts, shall disturb or disquiet her Majesty in the possession and exercise thereof.

And that either in her Majesty's courts of *Chancery*, *Queen's Bench*, *Common Pleas*, or *Exchequer at Westminster*; the same shall be, to all intents, constructions, and purposes, as effectual as if such person or persons had taken the oaths by the said act appointed, within the time, and at the places therein mentioned.

In any of the courts at Westminster.

II. And be it further enacted by the authority aforesaid, That in all time coming all and every person or persons whatsoever, who shall be admitted into any office, civil or military, within that part of *Great Britain* called *Scotland*, who by reason of such office are obliged to take the oaths before-mentioned in *Scotland*, shall within three months after his admittance into any such office, take and subscribe the oaths, and subscribe the assurance aforesaid, either in her Majesty's courts of session, judiciary, or *Exchequer* in *Scotland*, or at the quarter sessions there, for the city or county where such person or persons inhabit or dwell, or in any other court where the oaths have usually been administered in *Scotland*, or in her Majesty's courts of *Chancery*, *Queen's Bench*, *Common Pleas*, or *Exchequer at Westminster*.

Officers in Scotland to take the oaths, &c. there, within three months after admittance into their offices, in the courts of session, &c.

III. And be it further enacted by the authority aforesaid, That the said courts of *Chancery*, *Queen's Bench*, *Common Pleas*, and *Exchequer at Westminster*, shall, from time to time, administer to such persons as shall tender themselves to take and subscribe the aforesaid oaths, and subscribe the said assurance for offices, civil and military, and in the same manner that other oaths of the like nature have been in use to be assured; and they shall give to all and every person or persons taking the oaths as aforesaid, a certificate of their having taken the same, for which there shall be paid a sum not exceeding two shillings.

The courts at Westminster to administer the oaths to all persons offering to take them, and to give a certificate thereof.

IV. And be it further enacted, That all and every person who shall be employed in any office, civil or military, within that part of *Great Britain* called *Scotland*, and who, by virtue of this present act, takes the oaths before, and in the courts of *Chancery*, *Queen's Bench*, *Common Pleas*, or *Exchequer at Westminster*, shall be obliged to transmit, within the space of three

Officers in Scotland, who shall take the oaths at Westminster, must transmit the certificate to the courts of

session, &c. in Scotland, within three months.

months, to the courts of session or justiciary, or *Exchequer* in Scotland, or to any the principal clerks of session, the principal clerk of justiciary, or the Queen's remembrancer in the court of *Exchequer*, the certificate they shall receive in manner above-mentioned; where the said certificate shall be kept, and to which all persons shall have free access, without fee or reward.

section 6. refusing to take the oaths, &c. shall incur the penalties in the act.

6 Ann. c. 14.

V. Provided always, That every such person or persons, who shall neglect or refuse to take and subscribe the oaths, and subscribe the assurance aforesaid, either in her Majesty's courts of *Chancery*, *Queen's Bench*, *Common Pleas*, or *Exchequer* at *Westminster*, or in the proper courts in Scotland, and shall after such refusal or neglect execute any office, for and in respect of which the oaths and assurance aforesaid ought to be taken and subscribed, shall incur the penalties, disabilities and forfeitures in the said act mentioned.

Taking the oaths, &c. and neglecting to transmit the certificate, shall forfeit his office, and 100 l. to any who will sue for it in the court of session.

Officer in Scotland may take the oath *de Fidei*, before one of the judges of England.

VI. Provided also, That every such person or persons, who having taken and subscribed the oaths, and subscribed the assurance aforesaid, in her Majesty's courts of *Chancery*, *Queen's Bench*, *Common Pleas*, or *Exchequer* at *Westminster*, shall, within the space of three months, neglect to transmit the certificate given by the said courts in manner above-mentioned, shall forfeit his office, and also the sum of one hundred pounds, to be recovered by such person or persons as shall sue for the same, by summary process in the said court of session.

VII. And be it further enacted by the authority aforesaid, That it shall and may be lawful for any person or persons, that is or shall be employed in any office or offices in Scotland aforesaid, to take the oath *de Fidei*, or oaths for the due execution of his or their office or offices, before one of the judges of England; and that such oath or oaths so taken, shall to all intents, constructions and purposes, be as effectual as if such oath or oaths had been taken before any judge or judges of either of her Majesty's courts in Scotland aforesaid, or otherwise howsoever.

Claufe for allowing Dr. Newton, envoy to the great duke of Tuscany, 3 months after his return to England, to take the oaths as master of St. Catherine's hospital.

VIII. And whereas Henry Newton doctor of laws, her Majesty's envoy extraordinary to the great duke of Tuscany, being appointed master of St. Catherine's hospital near the Tower of London, cannot return home till the time for qualifying himself, by receiving the sacrament of the Lord's supper, taking the oaths, and making the declaration and subscriptions required by law, will be expired; be it enacted by the authority aforesaid, That in and to the said Henry Newton shall receive the sacrament of the Lord's supper within three months after his return from beyond the seas, and shall take the oaths, and make the declaration and subscriptions required by law, in one of her Majesty's courts of record at *Westminster* the next term, or at the next quarter sessions held for the county of *Middlesex*, after the said three months, the same shall be good and available to the said Henry Newton, to all intents, constructions, and purposes whatsoever; and the said Henry Newton shall be deemed to have qualified himself as fully and effectually as if he had taken the said oaths, and made the said declaration

declaration and subscriptions within the precise time required by law; any law or statute to the contrary in any wise notwithstanding.

C A P. XVI.

An act for discharging the attendance of noblemen, barons, and freeholders, upon the lords of justiciary in their circuits, in that part of Great Britain called Scotland, and for abolishing the method of exhibiting criminal informations by the porteous roll.

WHEREAS since the union of the two kingdoms, the attendance of noblemen, barons, and freeholders, in that part of Great Britain called Scotland, upon the lords of justiciary in their circuits, in the manner the same was heretofore used, is now become burthensome and unnecessary; be it therefore enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in parliament assembled, and by authority of the same, That from after the first day of May, one thousand seven hundred and ten, no person whatsoever shall be obliged, by himself, his tenants, or servants, to attend the lords of justiciary, either in going to, or coming from the respective places where the circuit courts are held, except the sheriff, or his deputies, and their officers; and that no sheriff, by himself, or his deputies, or his officers, be obliged to attend the said lords of justiciary at any time or place out of the bounds of the respective county whereof such person is sheriff, except at the place, and during the time, where the several circuit courts of the respective districts shall be held.

After 1 May, 1710. none to attend the lords of justiciary in their circuits, except the sheriff, &c. at the place and time where the circuit courts are held;

II. And be it further enacted by the authority aforesaid, That from and after the said first day of May, no person whatsoever shall be obliged to attend at the place where the circuit court is held, during such time as the said court shall continue there, except such person or persons who shall be summoned upon any grand or petty jury, or who shall be summoned or bound to give evidence in any matter or cause before the said court, or who shall be bound over to appear at such justice court, or such person or persons as shall make presentments, in order to trials before the said justices at their circuits: Provided, That when presentments are made by the justices of peace at their quarter sessions, or at the yearly meetings in July and February after mentioned, it shall be lawful to the said justices to depute one or more of their number to attend in place of the whole; and except such other person or persons, who, by the duty of his or their offices or trusts, are bound to attend the said court.

and except such as are summoned to give evidence, or on a jury; or such as are bound to appear, or such as shall make presentments. Justices of peace may depute one of their number. Except also those who attend by the duty of their offices.

III. And whereas by an act made in the sixth year of her Majesty's reign, intituled, An act for the rendering the union of the two kingdoms more entire and complete, it is, amongst other things, enacted, That the justices of the peace in Scotland may do, use, and exercise over all persons within their several bounds, whatever doth appertain

6 Annæ, c. 6.

appertain to the office and trust of a justice of peace, by virtue of the laws and acts of parliament made in England before the union, in relation to or for the preservation of the publick peace; by virtue of which powers and privileges vested in them for the purposes aforesaid, they have sufficient authority to receive information concerning crimes committed within the respective counties, and to commit such offenders, or take security or recognizance, and to do other necessary acts for the effectual prosecution of the said crimes; in consequence whereof the old method of taking up dittay, and exhibiting informations against delinquents by the streis and porteous roll, as the same was grievous, is now become unnecessary; be it therefore enacted by the authority aforesaid, That from and after the said first day of May, the said method of taking up dittay, and exhibiting information by the streis and porteous roll, shall be, and is hereby totally discharged and abolished to all intents and purposes whatsoever; any law or statute to the contrary in any way notwithstanding.

The manner of taking up dittay, &c. abolished.

Informations, &c. to be by presentments, by the justices in their quarter sessions, &c.

IV. And be it further enacted by the authority aforesaid, That informations in order to making up of dittays, concerning crimes to be tried in the said circuits in Scotland, from and after the said first day of May next, shall be by presentments to be made by the justices of peace at their quarter sessions, or upon informations to be taken by the sheriffs, stewarts, baillies of regalities, and their deputies, magistrates of boroughs, or other inferior judges and magistrates within the jurisdiction of the respective circuits, concerning such crimes as are to be tried before the lords of judiciary in their circuits, in the months of July and February yearly; and the said justices of peace, at least two of them, are hereby required and authorized to meet at the head burgh of the respective shires within which they are justices, and at the ordinary place and hour of meeting, upon the twenty first day of the said months of July and February respectively yearly, being lawful days, or on the next lawful day thereafter, there to receive such informations as shall be offered, concerning matters criminal to be tried in the circuits, and to revise such informations as have been taken before the time of the said meetings by two or more of the justices of the peace; otherwise than at their quarter meetings; and the said sheriffs, stewarts, baillies of the regalities, and their deputies, magistrates of boroughs, and other inferior judges and magistrates respectively, shall meet upon the twenty second days of the said months of July and February respectively, yearly, being lawful days, or on the next lawful day thereafter, at the ordinary places and hour of their meetings, there to receive such informations as shall be offered concerning matters criminal, to be tried in the circuits; and the said justices, sheriffs, stewarts, baillies of regalities, and their deputies, magistrates of burghs, and other inferior judges and magistrates, are hereby required and authorized to make up particular accounts of such criminal facts happening within their respective bounds, as are to be tried before the respective circuits, containing the names and designation of the offenders, the facts committed, with the circumstances

The sheriffs, &c. to meet twice in the year to receive such informations,

and to make up accounts of crimes to be tried in the circuits.

stances of time and place, and others that may servè to discover the truth; containing also the names and designations of the witnesses, and titles of such writes as are to be made use of at the trials; which informations are hereby appointed to be signed by the said justices, or at least two of them, and their clerk, or by the said sheriffs, stewarts, baillies of regalities, or their deputies and clerks, or by magistrates of boroughs, or other inferior judges or magistrates, and their clerks respectively; and being so signed, the respective clerks are also hereby requirèd and authorized to transmit the same, together with such writes or other evidence or proof, as are to be made use of in the trials before the judges at the respective circuits, to the lord justice clerk, or his deputies at *Edinburgh*, at least forty days before the holding of the respective circuit courts; that being given to her Majesty's advocate, or such as discharge that trust in *Scotland*, libels and indictments may be raised and executed against parties, assysers, and witnesses, according to the former laws and custom.

The informations to be signed by the justices, &c. and to be transmitted to the lord justice clerk, &c.

V. And be it further enacted by the authority aforesaid, That the magistrates of such cities and boroughs, where the respective circuit courts are held, shall be obliged to attend the said lords of justiciary, during their abode in their respective cities and boroughs; and that they prepare convenient benches and places for the justices of the peace to sit on, and be present at the said courts; who are hereby declared to have and enjoy the same privileges in court, as the justices of peace now enjoy in *England*.

The magistrates of cities, &c. shall attend the lords of justiciary, in their respective cities, &c. and prepare benches, &c.

VI. Provided nevertheless, That nothing in this act contained shall be construed to restrain her Majesty's advocat, or his successors in office, in her Majesty's name, or any person or persons, to inform and prosecute any criminal action or cause before the circuit court, in the same way and manner as is in use to be done before the justiciary court at *Edinburgh*, or to alter or innovate the method of returning jurymen or assysers by the sheriffs, upon precepts directed to them, as formerly.

The Queen's advocate shall not be restrained to prosecute any criminal action. Juries to be return'd as formerly.

CAP. XVII.

An act for explaining and making more effectual an act for the better enabling the master, wardens, and assistants of Trinity House to rebuild the light house on the Edystone rock.

WHEREAS in and by one act of parliament made in the fourth and fifth years of the reign of her present Majesty *Queen Anne*, 4 & 5 Ann. c. 20. entitled, An act for the better enabling the master, wardens, and assistants of Trinity House to rebuild the light house on the Edystone rock; it is enacted, That from and after the placing a light useful for shipping, in the light house intended to be rebuilt on the said rock, there shall be paid to the said master, wardens, and assistants, their successors, and assigns, by the masters and owners of all English ships, barks, and barques, which shall pass by the same, (except coasters) the duty of one penny per ton outwards bound, and also

one penny per ton inwards bound; that is to say, of the merchant one moiety, and of the owner of the ship, hoy, or barque, the other moiety; and of all such strangers, or aliens, ships, and vessels as shall happen to pass by the said light house, the sum of two pence for every ton of the burden of the said ship or vessel; and that every coaster passing by the said light house shall pay the duty of two shillings, and no more, for every time they shall pass by the said light house; the said duties to be collected by such persons as the said master, wardens, and assistants, or their successors, shall appoint, in such port or place whence such ship, hoy, or barque shall set forth, or where such ship, hoy or barque shall arrive, before they load or unload the goods therein; and to be recovered by action of debt, in any court of record at Westminster, wherein no essoin, wager of law, or protection shall be allowed, nor more than one imparlance: and whereas the said master, wardens, and assistants, having a due regard to the safety and preservation of the shipping and navigation of this kingdom, did, soon after the passing of the said act, cause the said light house to be begun, and to be rebuilt, and by the great care and diligence of the persons employed therein, the said work was carried on with such expedition, that a light useful for shipping was placed therein on the eight and twentieth day of July, one thousand seven hundred and eight; and the said light house hath since, with much hazard and difficulty, and a very great expence, been fully built and compleated, to the great satisfaction of the flag officers and commanders of her Majesty's fleet and ships of war, and of all others concerned in trade and navigation: and whereas since the rebuilding of the said light house, several foreign ships that passed by, and had the benefit of the said light, and arrived in some of ports of the kingdom of Ireland, have avoided payment of the said duties, upon pretence that the said act did not extend to the said kingdom of Ireland: for prevention whereof, and to the end a work of that publick nature, and so greatly beneficial to navigation, may have all due and proper encouragement; be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, at the humble petition of the said master, wardens, and assistants, That the said several and respective duties, in and by the said recited act directed, to be paid by any ship, hoy, or barque, shall be respectively paid for every such ship, hoy, or barque, as well those belonging to her Majesty's subjects, as such who belong to strangers or aliens, which shall pass by the said light house, from or to any port or place whatsoever, and shall be collected and received of the master of such ship, hoy, or barque, in any part of the kingdoms of Great Britain and Ireland, and shall and may be recovered in any of her Majesty's courts of law in either of the said kingdoms, as well as in a court of record at Westminster; any thing in the said act to the contrary notwithstanding.

The respective duties in the said act, to be paid by the master of every ship, &c. passing by the Edystone light-house, &c. How the said duties to be recovered.

No custom house officer to make out any cocquet,

II. And if the intent the said duties may be truly answered and paid, be it further enacted by the authority aforesaid, That no collector, customer, collector of her Majesty's customs, comptroller,

troller, receiver of entries or ships, surveyor, or searcher, waiter, &c. till the duties are paid, or other officer whatsoever, of or concerning the said customs, at any port within the said kingdoms of *Great Britain and Ireland*, shall hereafter give, or make out any cocquet, or other discharge, or take any report outwards for any ship, hoy or barque, as aforesaid, until the duties granted by the said recited act, and payable by the master of such ship, hoy, or barque, according to the tenor and true meaning of the said former act, shall be paid unto the respective collectors appointed by the said master, wardens, and assistants to receive the same, as aforesaid; and that such master of such ship, hoy, or barque, do produce and shew forth an acquittance, or light-bill under the hand of such collector, testifying the receipt thereof. and an acquittance produced to him.

III. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for all and every collector and collectors, or any other person or persons, authorized and deputed by the said master, wardens, and assistants, as in the said former act is mentioned, to go on board any foreign ship, hoy, or barque, to demand, collect, and receive the duties by the said former act due and payable; and for non-payment thereof, to take and distrain any tackle or furniture belonging to such ship, hoy or barque, and the same to detain and keep, until he or they be satisfied and paid the said sums of money, and every of them; and in case of any neglect or delay in payment of the said duties for the space of three days after any distress or distresses so taken, as aforesaid, that then it shall and may be lawful to and for the said collector or collectors, receiver or receivers of the said duties, and any of them, to cause the same to be appraised by two or more sufficient persons, and afterwards to sell the said distress or distresses so taken and appraised, and therewith to satisfy him or themselves, for and concerning the said duties so neglected or delayed to be paid, and for which a distress shall be so taken, as aforesaid, rendring to the master of such foreign ship, hoy, or barque, in or from which such distress shall be so taken, the overplus, if any be. The distress to be appraised and sold, if duties be not paid in three days; rendring the overplus to the master, &c.

IV. And be it further enacted by the authority aforesaid, That this act, and also the said former act, shall be taken and allowed within all courts within the kingdoms of *Great Britain and Ireland*, as public acts; and all judges and justices are hereby required to take notice thereof as such, without special pleading the same. This and the former act to be allowed as public acts in *Great Britain and Ireland*.

C. A. P. XVIII.

An Act to regulate the price and assize of bread.

WHEREAS by the statute made in the one and fiftieth year of 51 H. 3. Stat. 6. the reign of King Henry the Third, intituled, [*Assisa Panis et Cervisie*] provision was made, amongst other things, for settling the assize of bread; but the said statute is expressed in terms so obscure and impracticable in these times, that many doubts and difficulties have arisen, and daily do arise, in the construction thereof, whereby little or no observance hath in many places been made, either of the due assize,

Somuch of the said statute, intituled, *Affisa Panis et Cerevisiæ*, as relates to the assize of bread, repealed. And after May 1, 1710. the lord mayor of London, &c. and the mayor, &c. of other cities, &c. and justices of peace, in places where there is no mayor, &c. shall set the assize and weight of all sorts of bread, having respect to the price of the grain, &c.

After the said first of May, no person shall sell any bread, other than such as shall be allowed by the lord mayor, &c.

Bread to be made according to the table following.

affize, or reasonable price of bread; and covetous and evil-disposed persons taking advantage of the same, have, for their own gain and lucre, deceived and oppressed her Majesty's subjects, and more especially the poorer sort of people: for remedy whereof for the future, and that a plain and constant rule and method may henceforward be duly observed and kept, in the making and assizing of the several sorts of bread made for sale; be it enacted by the Queen's most excellent majesty, by and with the advice and content of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That so much of the said statute, [intituled, *Affisa Panis et Cerevisiæ*,] as relates to the assize of bread, shall be and is hereby repealed, annulled, and made void; and that from and after the first day of *May*, in the year of our Lord one thousand seven hundred and ten, the court of lord mayor and aldermen, within the city of *London*, and the liberties thereof, or the lord mayor of the said city for the time being, by the order of the said court, and the mayor, bailiffs, aldermen, or other chief magistrates for the time being, of any other city, town corporate, or borough, or two or more justices of the peace, in such towns and places where there shall be no such mayor, bailiffs, aldermen, or chief magistrates, shall severally and respectively, and from time to time, as there shall be occasion, set, ascertain, and appoint, within their several and respective jurisdictions, the assize and weight of all sorts of bread, to be sold, or exposed to sale by any baker, or other person whatsoever, within the limits of their several jurisdictions, having respect to the price the grain, meal, or flour, whereof such bread shall be made, shall bear in the several publick markets, in or about the city, town corporate, borough, or place where such assize shall be so set, and making reasonable allowance to the bakers for their charges, pains, and livelihoods; which said assize shall be set in *Averdupois*, and not *Troy* weight.

II. And that the said assize may be the more easily ascertained and appointed, be it likewise enacted by the authority aforesaid, That from and after the said first day of *May*, no person or persons whatsoever, shall make for sale, or sell or expose to sale, any sort or sorts of bread, other than the several sorts of bread herein after-mentioned; that is to say, white, wheaten, and household, and such other sort and sorts of bread as shall be publickly licenced and allowed by the said court of lord mayor and aldermen within the said city of *London* and liberties thereof, or by the said other chief magistrates or justices of the peace within their several and respective jurisdictions; all which several sorts of bread shall be made in their several and respective degrees, according to the goodness of the several sorts of grain, whereof the same ought to be made, and the assize and weight of the said white, wheaten, and household bread made of wheat, shall be set and ascertained according to the table hereafter following.

III. And to the intent that the good design of this act may be effectually complied with, be it further enacted by the authority aforesaid, That every common baker, and every person, who shall make or bake for sale, or any ways expose to sale, any sort of bread whatsoever, shall, from and after the said first day of *May*, fairly imprint or mark, or cause to be fairly imprinted or marked, on every loaf so by him made, or exposed to sale, the sort, price, and weight of such loaf, or any other mark as shall be appointed by the said court of lord mayor and aldermen, or by the said other chief magistrates and justices of the peace respectively, within the limits of their said several jurisdictions; and the said court of lord mayor and aldermen within the city of *London*, and the liberties thereof, and the said other chief magistrates, or justices of the peace, within the bounds of their several jurisdictions, shall have full power and authority, from time to time, to limit, direct, and appoint, how and in what manner each sort of bread shall be marked, for knowing the baker or maker, price, weight, and sort thereof; and to make and set down any other reasonable rules and orders for the better regulating the mystery of baking bread, and the sorts, affize, price, and weight thereof, and all things concerning the same, as in their judgments they shall find necessary and convenient; and if any baker or bakers, or other person or persons baking or making bread for sale, or exposing bread to sale, shall not observe the affize, to be ascertained by virtue of this act, or shall bake or make for sale, or sell or expose to sale, any bread wanting the due weight, or that shall not be marked according to the direction of this act, or shall break such regulations and orders as shall from time to time be made by virtue of this act, or shall in any sort or way break or infringe any of the matters or things before appointed by this act, he or they so doing, being thereof convicted by the confession of the party, or by the oath of one or more credible witness or witnesses, before the said lord mayor, or any one or more of the said aldermen, or before the said chief magistrate or magistrates, or one of them, or in such towns and places where there are not any such magistrate or magistrates, before one or more justices of the peace of the county wherein the offence shall be committed, or the party offending apprehended, shall, for every such offence, forfeit the sum of forty shillings, to be levied by way of distress upon the goods and chattels of every such offender, by warrant from the said lord mayor, alderman or aldermen, or chief magistrate or magistrates, justice or justices, before whom such conviction shall be made; the said forfeitures to be given to the informer or informers.

Bakers to mark their bread.

Lord mayor, &c. to direct how the bread shall be marked.

Penalty of offenders.

Repealed as to the penalty by 1 Geo. 1. stat. 2. c. 26. s. 5. and farther provisions relating hereto. By 3 Geo. 2. c. 29. s. 2.

Offenders are to pay 10 s.

To be given to the informer.

IV. And it is further enacted by the authority aforesaid, That the convictions made, as aforesaid, upon this act, shall be certified to the next general quarter sessions of the peace for the county or place where such convictions were made, to be there kept upon record by the respective clerks of the peace, to be seen without fee or reward.

Convictions to be certified to the quarter sessions.

V. Provided always, That no person shall be convicted in manner aforesaid, for any of the before-mentioned offences, unless

Prosecution to be within 3 days.

unless the prosecution, in order to such conviction, be commenced within three days next after the offence committed.

Party grieved
may appeal to
the sessions,
whose deter-
mination shall
be final.

And they may
allow costs,
and commit
the offender
till payment.
If the appel-
lant make
good his ap-
peal, the in-
former shall
pay costs.

VI. Provided also, and be it further enacted by the authority aforesaid, That if any person so convicted shall think him or herself aggrieved, he or she shall and may make his or her appeal in writing to the next quarter sessions of the peace for the city, town, or county where such conviction shall be made, where the same shall be heard, and finally determined; and if the said person so appealing shall not make good such his or her appeal, or prosecute it with effect, the said court of sessions shall award such costs as they shall think reasonable to the prosecutor or informer, and commit the offender to the common gaol, until he or she shall make payment of the said costs, and also of the penalty adjudged on the conviction, to the informer; but in case the said appellant shall make good his appeal, and be discharged of his or her said conviction, the like reasonable costs shall be awarded for the appellant against such informer, who should (in case of conviction) have been entitled to the said penalty, to be recovered, as aforesaid.

Penalty of sel-
ling bread
mixed with
other grain
than appoint-
ed by the assize.

VII. Provided also, That if any baker, or feller of bread, shall put into any bread by him sold or exposed to sale, any mixture of any other grain than what shall be appointed by the assize settled in the place where such bread shall be so sold or exposed to sale, every such person so offending, shall, for every such offence, forfeit the sum of twenty shillings, to be had and recovered in the manner and form herein before-mentioned; and if any mayor, alderman, or justice of the peace, shall, on any information made to him of any offences committed against this act, wilfully and wittingly omit the performance of his duty thereupon, in the execution of this act, he shall forfeit the sum of twenty shillings, to be recovered by action, bill, plaint, or information, in any of her Majesty's courts at *Westminster*, wherein no essoin, protection or wager of law shall be allowed, or any more than one imparlance.

Penalty of any
magistrate
neglecting his
duty.

The lord
mayor, &c.
may enter the
houses of
bakers to view
the bread,

VIII. And that the good design of this statute may be the more effectually accomplished, be it further enacted, That it shall and may be lawful to and for the said lord mayor and aldermen of the city of *London*, or any one of them, within the said city and liberties thereof, and also to and for the said chief magistrate or magistrates, or justices of peace, or any one of them, within the limits of their several jurisdictions, at all times hereafter, in the day-time, to enter into any house, shop, stall, bake-house, ware-house, or out-house, of or belonging to any baker or feller of bread, there to search for, view, weigh, and try, all or any the bread of such person, or which shall there be found; and if any bread shall there be found wanting, either in the goodness of the stuff, whereof the same shall be made, or be deficient in the due baking or working thereof, or shall be wanted in the due weight, or shall not be truly marked according to the directions of this act, or shall be of any other sort than shall be allowed by virtue of this act, that then and in

and if it be
found want-
ing,
in goodness,
baking,
weight, &c.
may seize and
give it to the
poor.

every

every such case, it shall and may be lawful to and for such lord mayor, alderman or aldermen, chief magistrate or magistrates, justices or justice of the peace, to seize and take the bread so found, and cause the same to be forthwith given and distributed to the poor of the parish where such seizure shall be made; and if any baker or seller of bread, or other person or persons, shall not permit or suffer such search or seizure to be made, or shall oppose, hinder, or resist the same, he or they so doing, shall, for every such offence, forfeit the sum of forty shillings to the informer or informers, to be had and recovered in the summary manner and form herein before mentioned.

Penalty on baker, &c. opposing search.

IX. And it is hereby further enacted, That if any action or suit shall be commenced or brought against any mayor, chief magistrate, justice of peace, constable, or any other officer or person whatsoever, for doing, or causing to be done, any thing in pursuance or execution of this act, or relating thereunto, the defendant in such action or suit may plead the general issue, and give the special matter in evidence; and if the plaintiff be nonsuited, or discontinue his action, or a verdict be given for the defendant, or judgment be otherwise given for the defendant, every such defendant shall have double costs.

In actions brought for the execution of this act, defendant may plead the general issue, &c. and shall have double costs.

X. Provided always, That this act, nor any thing therein contained, shall extend to prejudice any right or custom of the city of London, or the practice there used, or of the lord or lords of any leet, to set, enquire, and punish the breach of assize of bread within their respective leets or views of frankpledge, nor of the clerk or clerks of the market.

This act shall not prejudice the rights of the city of London, &c.

XI. Provided nevertheless, That no person punished by this act, shall be for the same offence prosecuted by any other law, statute, usage, or custom whatsoever.

Persons punished by this act shall not be prosecuted by any other law, &c.

XII. *And whereas there have been great abuses in assizing of bread, by the variety of bushels and other measures used in different places, and though to rectify such abuses, several good laws have been made pursuant to the great charter, That there shall be but one measure to be used throughout all the realm, particularly one act made in the two and twentieth year of the reign of the late King Charles the Second, intituled, An act for ascertaining the measures of corn and salt, and another act made in the two and twentieth and three and twentieth years of King Charles the Second, intituled, An additional act for ascertaining the measures of corn and salt, yet the said good laws have not hitherto been observed as they ought to have been;* therefore for the better and stricter observation of the same, all justices of the peace, constables, and other officers, are hereby strictly commanded and required to see the said several acts put in due execution, and all justices of assize, and justices of the peace, are in their several and respective charges at their assizes or sessions of the peace, to enforce and press the execution of the said laws, and to use all legal methods to make the said laws, and also this present act, to be effectually practised and observed.

The act made 22 Car. 2. c. 8.

and the act 22 & 23 Car. 2. c. 12.

to be put in execution, and judges, &c. to give them in charge.

XIII. Provided always, That neither this act, nor any thing
VOL. XII. G therein

This act shall not prejudice the rights of either univer-

therein contained, shall extend or be construed to extend to prejudice the ancient right or custom of the two universities of Oxford and Cambridge, or either of them, or their clerks of the market, or the practice within the several jurisdictions there used, to set, ascertain, and appoint the assize and weight of all sorts of bread, to be sold or exposed to sale within their several jurisdictions; but that they shall and may severally and respectively, from time to time, as there shall be occasion, set, ascertain, and appoint, within their several and respective jurisdictions, the assize and weight of all sorts of bread to be sold or exposed to sale, by any baker or other person whatsoever, within the limits of their several jurisdictions, and shall and may enquire and punish the breach thereof, as fully and freely, in all respects as they used to do, as if this act had never been had or made; any thing herein contained to the contrary thereof notwithstanding.

To continue for 3 years, &c.

XIV. Provided always, That this act shall continue for three years, and from thence to the end of the next session of parliament, and no longer.

Continued by 1 Geo. 1. stat. 2. cap. 26. sect. 4. with some alterations.

Continued by 5 Geo. 1. cap. 25. for five years.

Continued by 10 Geo. 1. cap. 17. for seven years, &c.

And farther continued by 3 Geo. 2. c. 29. sect. 1. until March, 1738.

By 12 Geo. 2. c. 13. and amended; and by 22 Geo. 2. c. 46. to 24 June 1757. and to the end of the next session, and amended.

C A P. XIX.

An act for the encouragement of learning, by vesting the copies of printed books in the author's or purchasers of such copies, during the times therein mentioned.

After 10 April 1710. the authors of books already printed, who have not transferred their rights, and the booksellers, &c. who have purchased copies, shall have the sole right of print-

WHEREAS printers, booksellers, and other persons have of late frequently taken the liberty of printing, reprinting, and publishing, or causing to be printed, reprinted, and published, books and other writings, without the consent of the authors or proprietors of such books and writings, to their very great detriment, and too often to the ruin of them and their families: for preventing therefore such practices for the future, and for the encouragement of learned men to compose and write useful books; may it please your Majesty, that it may be enacted, and be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the tenth day of April, one thousand seven hundred and ten, the author of any book or books already printed, who hath not transferred to any other the copy or copies of such book or books, share or shares thereof, or the bookseller or booksellers, printer or printers, or other person

or

or persons, who have or have purchased or acquired the copy or copies of any book or books, in order to print or reprint the same, shall have the sole right and liberty of printing such book and books for the term of one and twenty years, to commence from the said tenth day of April, and no longer; and that the author of any book or books already composed, and not printed and published, or that shall hereafter be composed, and his assignee or assigns, shall have the sole liberty of printing and reprinting such book and books for the term of fourteen years, to commence from the day of the first publishing the same, and no longer; and that if any other bookseller, printer, or other person whatsoever, from and after the tenth day of April, one thousand seven hundred and ten, within the times granted and limited by this act, as aforesaid, shall print, reprint, or import, or cause to be printed, reprinted, or imported, any such book or books, without the consent of the proprietor or proprietors thereof first had and obtained in writing, signed in the presence of two or more credible witnesses; or knowing the same to be so printed or reprinted, without the consent of the proprietors, shall sell, publish, or expose to sale, or cause to be sold, published, or exposed to sale, any such book or books, without such consent first had and obtained, as aforesaid: then such offender or offenders shall forfeit such book or books, and all and every sheet or sheets, being part of such book or books, to the proprietor or proprietors of the copy thereof, who shall forthwith damask, and make waste paper of them; and further, That every such offender or offenders shall forfeit one penny for every sheet which shall be found in his, her, or their custody, either printed or printing, published, or exposed to sale, contrary to the true intent and meaning of this act; the one moiety thereof to the Queen's most excellent majesty, her heirs and successors, and the other moiety thereof to any person or persons that shall sue for the same, to be recovered in any of her Majesty's courts of record at Westminster, by action of debt, bill, plaint, or information, in which no wager of law, essoin, privilege, or protection, or more than one imparlance shall be allowed.

II. And whereas many persons may through ignorance offend against this act, unless some provision be made, whereby the property in every such book, as is intended by this act to be secured to the proprietor or proprietors thereof, may be ascertained, as likewise the consent of such proprietor or proprietors for the printing or reprinting of such book or books may from time to time be known; be it therefore further enacted by the authority aforesaid, That nothing in this act contained shall be construed to extend to subject any bookseller, printer, or other person whatsoever, to the forfeitures or penalties therein mentioned, for or by reason of the printing or reprinting of any book or books without such consent, as aforesaid, unless the title to the copy of such book or books hereafter published shall, before such publication, be entred in the register book of the company of stationers, in such manner as hath been usual, which register book shall at all times be kept at the

ing them for the term of 27 years; and the authors of books not printed shall have the sole right of printing for 44 years. Punishment of bookseller, &c. printing without consent of the proprietor.

Copies to be entred before publication in the register book of the company of stationers.

which may be inspected at any time without fee. Clerk of the company to give a certificate of such entry.

Penalty of the clerk refusing so to do.

hall of the said company, and unless such consent of the proprietor or proprietors be in like manner entred as aforesaid, for every of which several entries, six pence shall be paid, and no more; which said register book may, at all reasonable and convenient time, be resorted to, and inspected by any bookseller, printer, or other person, for the purposes before-mentioned, without any fee or reward; and the clerk of the said company of stationers shall, when and as often as thereunto required, give a certificate under his hand of such entry or entries, and for every such certificate may take a fee not exceeding six pence.

III. Provided nevertheless, That if the clerk of the said company of stationers for the time being, shall refuse or neglect to register, or make such entry or entries, or to give such certificate, being thereunto required by the author or proprietor of such copy or copies, in the presence of two or more credible witnesses, That then such person and persons so refusing, notice being first duly given of such refusal, by an advertisement in the *Gazette*, shall have the like benefit, as if such entry or entries, certificate or certificates had been duly made and given; and that the clerks so refusing, shall, for any such offence, forfeit to the proprietor of such copy or copies the sum of twenty pounds, to be recovered in any of her Majesty's courts of record at *Westminster*, by action of debt, bill, plaint, or information, in which no wager of law, essoin, privilege or protection, or more than one imparlance shall be allowed.

After 25 Mar. 1710. the archbishop of Canterbury, &c. to settle the prices of books, upon complaint made that they are unreasonable.

IV. Provided nevertheless, and it is hereby further enacted by the authority aforesaid, That if any bookseller or booksellers, printer or printers, shall, after the said five and twentieth day of *March*, one thousand seven hundred and ten, set a price upon, or sell, or expose to sale, any book or books at such a price or rate as shall be conceived by any person or persons to be too high and unreasonable; it shall and may be lawful for any person or persons, to make complaint thereof to the lord archbishop of *Canterbury* for the time being, the lord chancellor, or lord keeper of the great seal of *Great Britain* for the time being, the lord bishop of *London* for the time being, the lord chief justice of the court of *Queen's Bench*, the lord chief justice of the court of *Common Pleas*, the lord chief baron of the court of *Exchequer* for the time being, the vice chancellors of the two universities for the time being, in that part of *Great Britain* called *England*; the lord president of the sessions for the time being, the lord chief justice general for the time being, the lord chief baron of the *Exchequer* for the time being, the rector of the college of *Edinburgh* for the time being, in that part of *Great Britain* called *Scotland*; who, or any one of them, shall and have hereby full power and authority, from time to time, to send for, summon, or call before him or them such bookseller or booksellers, printer or printers, and to examine and enquire of the reason of the dearness and inhauncement of the price or value of such book or books by him or them so sold or exposed to sale; and if upon such enquiry and examination it shall be found, that

Warehouse
keeper to de-
liver the books
10 days after
demand.

Penalty of
proprietor, &c.
not observing
the directions
of this act.

Penalties in
Scotland, how
recoverable.

This act not
to hinder the
importation,
&c. of books in
Greek, &c.
printed be-
yond sea.

General issue.

This act not
to prejudice
the right of
the universi-
ties.

Actions for
offences a-
gainst this act,
to be brought
in 3 months.

After the 14
years, the
right of print-
ing, &c. to re-

bridge, the libraries of the four universities in Scotland, the library of *Sion College* in London, and the library commonly called the library belonging to the faculty of advocates at *Edinburgh* respectively; which said warehouse keeper is hereby required within ten days after demand by the keepers of the respective libraries, or any person or persons by them or any of them authorized to demand the said copy, to deliver the same, for the use of the aforesaid libraries; and if any proprietor, bookseller, or printer or the said warehouse keeper of the said company of stationers, shall not observe the direction of this act therein, that then he and they so making default in not delivering the said printed copies, as aforesaid, shall forfeit, besides the value of the said printed copies, the sum of five pounds for every copy not so delivered, as also the value of the said printed copy not so delivered, the same to be recovered by the Queen's majesty, her heirs and successors, and by the chancellor, masters, and scholars of any of the said universities, and by the president and fellows of *Sion College*, and the said faculty of advocates at *Edinburgh*, with their full costs respectively.

VI. Provided always, and be it further enacted, That if any person or persons incur the penalties contained in this act, in that part of *Great Britain* called *Scotland*, they shall be recoverable by any action before the court of session there.

VII. Provided, That nothing in this act contained, do extend, or shall be construed to extend to prohibit the importation, vending, or selling of any books in *Greek*, *Latin*, or any other foreign language printed beyond the seas; any thing in this act contained to the contrary notwithstanding.

VIII. And be it further enacted by the authority aforesaid, That if any action or suit shall be commenced or brought against any person or persons whatsoever, for doing or causing to be done any thing in pursuance of this act, the defendants in such action may plead the general issue, and give the special matter in evidence; and if upon such action a verdict be given for the defendant, or the plaintiff become nonsuited, or discontinue his action, then the defendant shall have and recover his full costs, for which he shall have the same remedy as a defendant in any case by law hath.

IX. Provided, That nothing in this act contained shall extend, or be construed to extend, either to prejudice or confirm any right that the said universities, or any of them, or any person or persons have, or claim to have, to the printing or reprinting any book or copy already printed, or hereafter to be printed.

X. Provided nevertheless, That all actions, suits, bills, indictments, or informations for any offence that shall be committed against this act, shall be brought, sued, and commenced within three months next after such offence committed, or else the same shall be void and of none effect.

Provided always, That after the expiration of the said fourteen years, the sole right of printing or disposing of copies

1709.]

Anno octavo ANNAE. C. 20, 21.

copies shall return to the authors thereof, if they are then living, turn to the author for other 14 years.

CAP. XX.

An act for raising the militia for the year one thousand seven hundred and ten, although the month's pay formerly advanced, be not repaid.
E X P.

CAP. XXI.

An act for vesting certain lands, tenements, and hereditaments in trustees, for the better fortifying and securing the harbours and docks at Portsmouth, Chatham, and Harwich.

WHEREAS in pursuance of an act of parliament passed in 7 Ann. c. 26. the seventh year of her now Majesty's reign, intituled, An act for appointing commissioners to treat and agree for such lands, tenements, and hereditaments, as shall be judged proper to be purchased for the better fortifying Portsmouth, Chatham, and Harwich, her Majesty was pleased by letters patents under the great seal of Great Britain, bearing date at Westminster the seventeenth day of June, in the eighth year of her reign, to authorize certain persons therein mentioned, or any five or more of them, to make surveys of, and particularly describe all such lands, tenements, and hereditaments, as are proper to be purchased for the uses and purposes aforesaid, and to execute all powers, directions, clauses, matters, and things, in the said act contained: and whereas five or more of the said commissioners have made surveys of, and particularly described by lines, stakes, boundaries, and plans, such lands, tenements, and hereditaments, as they judged proper to be purchased for the uses and purposes in the said act mentioned, and have likewise treated and agreed with several of the owners and others interested in the said lands, tenements, and hereditaments, who were able and willing to treat and agree for the same: and whereas several proprietors of lands, tenements, and hereditaments, in the respective places of Portsmouth, Chatham, and Harwich, which were by five or more of the said commissioners judged proper to be purchased, have insisted upon extravagant rates, and refused to agree with the said commissioners, without unreasonable gain to themselves; and other proprietors by reason of nonage, coverture, or especial limitations in settlements, were disabled to treat and agree, as aforesaid; for which reasons five or more of the said commissioners, pursuant to the said act, issued out their warrants to the sheriffs of each county, where the said several lands, tenements, and hereditaments respectively lay, to impanel and return before them, at such times and places as by such warrants were appointed, a sufficient jury, and at such times and places respectively, a sufficient jury appeared, who upon their oaths did enquire into, and present the true value of all such lands, tenements, and hereditaments, and the estates and interests therein, as the said commissioners could not agree for, as aforesaid; which several verdicts or inquisitions have been returned and certified, with the whole proceedings thereupon, to her Majesty, into the high court of Chancery, pursuant, and according to the said act of parliament; and it being highly necessary, that all and singular

the proprietors, owners, and possessors, should be paid their several and respective sums agreed for, and the several sums assessed by the juries on oath, as aforesaid, and that the several lands, tenements, and hereditaments, should, upon payment of the said sums, be vested in her Majesty, her heirs and successors, to and for the uses and purposes aforesaid; be it enacted, &c.

After 10 April, 1710, the messuages, &c. specified by inquisitions returned, are settled in trustees, for the use of the respective owners. The Queen may appoint commissioners, who may determine all rights, &c. The commissioners to enter their decrees in books, &c. Which decrees shall be certified to the clerk of the crown, and be final. The commissioners shall give 30 days notice of their meeting. How the proprietors shall be paid for their respective estates. No private buildings to be erected on any such lands. If any house, &c. shall belong to persons disabled to receive the money, the commissioners may order it to be paid for their use, and laid out for purchasing other lands for the parties interested; and till such purchase can be had, the commissioners to place out the money at interest, to be paid to the respective parties.

Anno Regni ANNÆ Reginae nono.

AT the parliament begun and holden at Westminster the twenty fifth day of November, Anno Dom. 1710, in the ninth year of the reign of our sovereign lady Anne, by the grace of God, of Great Britain, France, and Ireland, Queen, defender of the faith, &c. * being the first session of this present parliament.

* In the record is added, and continued by several adjournments till the twelfth day of July, in the tenth year of her Majesty's reign.

CAP. I.

An act for granting an aid to her Majesty, to be raised by a land tax in Great Britain, for the service of the year one thousand seven hundred and eleven. 4 s. in the pound. E X P.

CAP. II.

An act to oblige ships coming from places infected, more effectually to perform their quarantine.

WHEREAS several places on or near the Baltick sea are and have been, for some time past, infected with the plague; and her Majesty, for preventing that infection being brought into her dominions by persons or merchandizes coming from places infected, hath by several orders made by her in council, and by her royal proclamation, dated the ninth day of November, in the ninth year of her Majesty's reign, required a quarantine to be performed by all ships and persons coming from places infected, as therein is directed: and whereas it is necessary that some provision be made by act of parliament for obliging all

all persons concerned to perform their quarantine in such manner as hath been, or shall be, in times of infection, ordered by her Majesty, her heirs and successors, and for punishing offenders therein, in a more expeditious manner than at present can be in the ordinary methods of the law; be it enacted, &c.

All ships coming from places infected, to make their quarantine in such place, &c. as shall be directed by her Majesty, &c. No person shall go on board such ships without licence; and such ships, persons, &c. shall be subject to the orders of the Queen, &c. After the 25th of Dec. 1710, if any master, &c. shall go on shore, &c. or permit any person so to do, without licence, the ship, &c. shall be forfeited to the Queen. Persons coming on shore, to be compelled to return on board, there to remain during the quarantine. Punishment of persons leaving such ship. Forfeiture, how to be applied. Persons going on board such ship, and returning on shore, to be compelled to return on board again, there to remain during the quarantine. The person who takes care of the quarantine, may seize any boat belonging to the ship, and detain it during the quarantine. Punishment of such person, suffering any seaman, &c. to quit such ship. Watches to be kept to prevent persons from coming on shore, or going on board. After the quarantine is performed, and proof made thereof upon oath, and certificate given, the ship, &c. to be no longer detained. 1 s. only to be paid for such oath and certificate, over and above the stamp duties. After the quarantine performed, the goods to be open'd and air'd. R E P. 7 Geo. 1. c. 3. f. 22.

C A P. III.

An act for charging and continuing the duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and eleven. E X P.

C A P. IV.

An act to continue the acts for recruiting her Majesty's land forces and marines, for the service of the year one thousand seven hundred and eleven. Officers shall receive such person as shall voluntarily list himself before any two commissioners, who shall cause the 14th and 23d articles of war to be read to him, after which he shall be deemed a listed soldier. If any action be brought for a just debt (not less than 20 l.) against such volunteer, and he be arrested, and then discharged as a listed soldier, he shall within two months be sent beyond sea, to serve the Queen as a soldier; otherwise he shall have no protection as a soldier. This proviso altered by 9 Annæ, c. 9. sect. 2. The person who discharges him, shall make an entry thereof. Commissioners shall examine persons listed, and if they are seamen, they shall be discharged. Commissioners to meet from time to time. E X P.

C A P. V.

An act for securing the freedom of parliaments, by the farther qualifying the members to sit in the house of commons.

FOR the better preserving the constitution and freedom of No person shall parliament, be it enacted and declared by the Queen's most be a member, excellent majesty, by and with the advice and consent of the who hath not lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from an estate, &c, and after the determination of this present parliament, no person

son shall be capable to sit or vote as a member of the house of commons, for any county, city, borough, or cinque port, within that part of *Great Britain* called *England*, the dominion of *Wales*, and town of *Berwick* upon *Tweed*, who shall not have an estate, freehold or copyhold, for his own life, or for some greater estate, either in law or equity, to and for his own use and benefit, of or in lands, tenements, or hereditaments, over and above what will satisfy and clear all incumbrances that may affect the same, lying or being within that part of *Great Britain* called *England*, the dominion of *Wales*, and town of *Berwick* upon *Tweed*, of the respective annual value hereafter limited, *videlicet*, The annual value of six hundred pounds, above reprises, for every knight of a shire; and the annual value of three hundred pounds, above reprises, for every citizen, burgess, or baron of the cinque ports; and that if any person, who shall be elected or returned to serve in any parliament, as a knight of a shire, or as a citizen, burgess, or baron of the cinque ports, shall not, at the time of such election and return, be seized of, or entitled to such an estate, in lands, tenements, or hereditaments, as for such knight, or for such citizen, burgess, or baron respectively, is herein before required or limited, such election and return shall be void.

clear from incumbrances, and lying in England, viz.

Every knight of a shire, 600l. a year.
Every citizen, &c. 300l. a year.
Any person returned, who hath not such an estate, the return shall be void.

This Act not to extend to the eldest son of a peer, or of a person qualified to serve as knight of a shire.

The universities may elect and return members as formerly.

None to be qualified by virtue of any mortgage, unless the mortgagee have been in possession 7 years before the election.

Every candidate, at the request of another candidate, or of two of the voters, shall take the following oath;

II. Provided always, That nothing in this act contained, shall extend to make the eldest son, or heir apparent of any peer, or lord of parliament, or of any person qualified by this act to serve as knight of a shire, incapable of being elected and returned, and sitting and voting as a member of the house of commons, in any parliament.

III. Provided always, That nothing in this act contained, shall extend, or be construed to extend to either of the universities in that part of *Great Britain* called *England*, but that they, and each of them may elect and return members to represent them in parliament, as heretofore they have done; any thing herein contained to the contrary notwithstanding.

IV. Provided always, and be it enacted by the authority aforesaid, That no person whatsoever shall be construed to be qualified to sit in the house of commons, within the meaning of this act, by virtue of any mortgage whatsoever, whereof the equity of redemption is in any other person or persons, unless the mortgagee shall have been in possession of the mortgaged premises, for the space of seven years before the time of his election; any thing herein contained to the contrary notwithstanding.

V. Provided always, and it is hereby enacted by the authority aforesaid, That every person (except as aforesaid) who from and after the determination of this present parliament, shall appear as a candidate, or shall, by himself or any others, be proposed to be elected to serve as a member for the house of commons, for any county, city, borough, or cinque port in *England*, *Wales*, or *Berwick* upon *Tweed*, shall, and he is hereby enjoined and

and required, upon reasonable request to him to be made (at the time of such election, or before the day to be prefixed in the writ of summons for the meeting of the parliament) by any other person who shall stand candidate at such election, or by any two or more persons having right to vote at such election, take a corporal oath in the form, or to the effect following:

I A. B. do swear, That I truly and bona fide have such an estate in law or equity, to and for my own use and benefit, of or in lands, tenements, or hereditaments (over and above what will satisfy and clear all incumbrances that may affect the same) of the annual value of six hundred pounds, above reprises, as doth qualify me to be elected and returned to serve as a member for the county of *according to the tenor and true meaning of the act of parliament in that behalf; and that my said lands, tenements, or hereditaments, are lying or being within the parish, township, or precinct of* The oath.
 Or, in the several *parishes, townships, or precincts of*
in the county of Or, in the several counties
of (as the case may be)

VI. And in case such candidate or person is to serve for any city, borough, or cinque port, then the said oath shall relate only to the said value of three hundred pounds *per annum*, and be taken to the same effect, *mutatis mutandis*, as is hereby prescribed for the oath of a person to serve as a member for such county, as aforesaid. If the candidate be for a city, &c. the oath shall relate only to 300l. per ann. *mutatis mutandis*.

VII. And it is hereby enacted, That the respective oaths aforesaid shall and may be administered by the sheriff, or under sheriff, for any such county, as aforesaid, or by the mayor, bailiff, or other officer or officers for any city, borough, or port, to whom it shall appertain to take the poll, or make the return at such election for the same county, borough, or port respectively, or by any two or more justices of the peace within *England, Wales, and Berwick upon Tweed*; and the said sheriff, mayor, bailiff, or other officers, and the said justices of the peace respectively, who shall administer the said oaths, are hereby required to certify the taking thereof into her Majesty's high court of *Chancery*, or the *Queen's Bench*, within three months after the taking the same, under the penalty of forfeiting the sum of one hundred pounds, to wit, one moiety thereof to the Queen, and the other moiety thereof to such person or persons as will sue for the same, to be recovered with full costs of suit by action of debt, bill, plaint, or information, in any of her Majesty's courts of record at *Westminster*; and if any of the said candidates or persons proposed to be elected, as aforesaid, shall wilfully refuse, upon reasonable request to be made at the time of the election, or at any time before the day upon which such parliament by the writ of summons is to meet, to take the oath hereby required, then the election and return of such candidate or person shall be void. The oath to be administered by the sheriff, &c. who shall within 3 months after the taking thereof, certify the same into the Queen's Bench or Chancery, or forfeit 100l. one moiety to the Queen, the other to him who will sue, &c. with costs.

VIII. And

One shilling
only for admin-
istring the
oath. 3s. for
certificate,
and 2s. for
filing; Penal-
ty 20l.

VIII. And it is hereby enacted, That no fee or reward shall be taken, for administring any such oath, or making, receiving, or filing the certificate thereof, except one shilling for administring the oath, and two shillings for making the certificate, and two shillings for receiving and filing the same, under the penalty of twenty pounds, to be forfeited by the offender, and to be recovered and divided, as aforesaid.

CAP. VI.

An act for reviving, continuing, and appropriating certain duties upon several commodities to be exported; and certain duties upon coals to be water-born and carried coastwise; and for granting further duties upon candles, for thirty two years, to raise fifteen hundred thousand pounds, by way of a lottery, for the service of the year one thousand seven hundred and eleven; and for suppressing such unlawful lotteries, and such insurance offices, as are therein mentioned.

*For the appli-
cation of the
surplus arising
from this act,
see 9 Ann. c.
23. s. 85.*

MAY it please your most excellent Majesty, we your Majesty's most dutiful and loyal subjects the commons of Great Britain in parliament assembled, being desirous, by the most speedy, easy, and effectual ways and means, to raise the necessary supplies for prosecuting the present war, (in which your Majesty hath been for several years engaged) against the French king, and for enabling your Majesty, at the end thereof, to establish a good and lasting peace, have for that end and purpose given and granted, and do by this present act give and grant unto your Majesty, the several customs, subsidies, and other duties, for and upon such several goods, merchandizes, and commodities to be exported, or which shall be shipped to be exported from or out of Great Britain, as are herein after expressed; and such duties upon coals, culm, and cynders, which are or shall be water-born and carried from any port or place of Great Britain, to any other port or place of the same; and such further duties upon candles made in Great Britain, or imported into the same, as are hereafter in this act more particularly mentioned; and we do most humbly beseech your Majesty, that it may be enacted; and be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, in form following: Whereas by an act of parliament made and passed in the twelfth year of the reign of his late majesty King Charles the Second, (of blessed memory) commonly called, *The act of tonnage and poundage*, (amongst other things therein contained) a certain subsidy of poundage for and upon all manner of goods and merchandizes to be carried out of the realm of England, or any the dominions to the same belonging, that is to say, twelve pence of the value of every twenty shillings, of the same goods and

and merchandizes, according to the several and particular rates and values thereof, as they were particularly and respectively rated and valued in the book therein mentioned and referred unto, and other duties, were granted to his said late Majesty, during his life, except as therein is excepted: and whereas after granting the said subsidy, as aforesaid, several other acts of parliament have been made, whereby the said subsidy of poundage, or some part or parts of the said subsidy of poundage, for and upon several of the said goods, merchandizes, and commodities, exported or to be exported, as aforesaid, were (together with several customs or duties upon goods and merchandizes imported) granted for several terms successively, the last of which terms was granted by an act of the first year of her Majesty's reign, intituled, *An act for making good deficiencies, and preserving the publick credit*, and continued until the first day of *August*, in the year of our Lord one thousand seven hundred and ten; and the said subsidy of poundage, as to several goods, merchandizes, and commodities exported, which were originally charged therewith by the said act of the twelfth year of the reign of King *Charles* the Second, hath been, by several acts of parliament, since taken away, lessened, or altered: now it is hereby enacted by the authority aforesaid, That so much of the said subsidy of poundage, and other duties, first granted by the said act of the twelfth year of the reign of King *Charles* the Second, as aforesaid) on several goods and merchandizes exported, as did remain or had continuance until the first day of *August*, in this present year of our Lord one thousand seven hundred and ten, or which by force or virtue of the said act of the first year of her Majesty's reign, *For making good deficiencies*, and the act of the fifth year of her Majesty's reign, *For the union of the two kingdoms of England and Scotland*, or by any other act or acts of parliament relating thereunto, were payable or existent on the last day of *July*, in the said year of our Lord one thousand seven hundred and ten, for any goods or merchandizes exported, shall, by force and virtue of this act, be revived, and be further continued, and be paid and payable to her Majesty, her heirs and successors, for and upon the like goods and merchandizes respectively to be exported from *Great Britain*, from and after the eighth day of *March*, in the year of our Lord one thousand seven hundred and ten, at any time or times, within or during the term of thirty two years from thence next ensuing, (other than and except such duties as were formerly granted to be paid upon the exportation of sea coals for parts beyond the seas, instead whereof other duties are imposed by this present act.)

II. And be it further enacted by the authority aforesaid, That the said subsidy of poundage, and other duties upon goods and merchandizes exported, hereby revived and continued, during all the term of years therein granted, as aforesaid, and all arrearages of the same, shall and may, from time to time, be raised, received, levied, and recovered, by such ways and means, and under such penalties and forfeitures, and with such allow-

ances

1 Ann. stat. 1.
c. 13.

12 Car. 2. c. 4.

*
Subsidy of poundage, &c. outwards, revived and continued for 32 years from 8 March, 1710. made perpetual by 3 Geo. 1. c. 7. f. 1.
5 Ann. c. 8.
See 8 Geo. 1. c. 15. f. 7.

How these duties shall be raised.

12 Car. 2. c. 4.

ances for goods lost or taken at sea, and such other allowances, and in such manner and form, as the like subsidy of poundage and other duties, which continued until the said first day of *August*, one thousand seven hundred and ten, were or might be raised, received, levied, or recovered by any law or statute which was in force on the said last day of *July*, one thousand seven hundred and ten; and that so much of the said act of the twelfth year of the reign of King *Charles* the Second, and of the order of the commons in parliament assembled, bearing date the seventeenth day of *May*, one thousand six hundred and sixty two, for settling of officers fees, and all such clauses, penalties, forfeitures, matters, and things, contained in the act last-mentioned, or in any other act or acts of parliament whatsoever, as on the said last day of *July*, one thousand seven hundred and ten, were in force, for the raising, receiving, levying, or recovering, or for making allowances out of the said subsidy of poundage and other duties on goods or merchandizes exported, which had continuance until the said first day of *August*, one thousand seven hundred and ten, shall be revived, practised and put in execution, for raising, receiving, levying, and recovering, or making allowances out of the subsidy of poundage and other duties hereby imposed on goods and merchandizes to be exported, during the said term of thirty two years, and all arrearages of the same, as fully and effectually, as if they were particularly and at large recited and set down in the body of this present act.

Subsidy, &c.
taken away or
diminished by
acts of par-
liament, not
revived.

III. Provided always, and it is hereby declared, That where the subsidy of poundage, or other duties formerly granted, as aforesaid, on goods or merchandizes exported, have been taken away, in part, or in the whole, upon any particular goods or merchandizes so exported, by virtue of any act or acts of parliament, or by any clause or clauses contained in any such act or acts formerly made for taking away or diminishing the same, in all such cases, the subsidy or duty, or such part of the said subsidy or duty so taken away, shall not be revived or continued by virtue of this present act: any thing herein contained to the contrary notwithstanding.

Leather, &c.
may be ex-
ported, paying
12d. per. C.
for 32 years.
Made perpetual
by 3 Geo. I. c.
7. s. 1.

IV. And it is hereby also enacted by the authority aforesaid, That for and during the term of thirty two years, to be reckoned from the eighth day of *March*, one thousand seven hundred and ten, it shall and may be lawful for any person or persons, natives or foreigners, to buy in open fair or market, and to export and transport from *Great Britain* into *Ireland*, or any foreign parts beyond the seas, all sorts of leather, sheep-skins or calves-skins, tanned, tawed, or dressed, paying for each hundred weight of all sorts of leather, sheep-skins and calves-skins, containing one hundred and twelve pounds, and so proportionably for a greater or lesser quantity, the sum of twelve pence, and no more; any former law, statute, or usage to the contrary in any wise notwithstanding.

V. And be it further enacted by the authority aforesaid,
That

That the several and respective rates and duties herein after mentioned, (and none other) shall be raised, levied, collected, and paid, unto and for the use of her Majesty, her heirs and successors, for and upon all coals, which at any time or times within or during the term of thirty two years, to commence from the eighth day of *March*, in the present year of our Lord one thousand seven hundred and ten, shall be exported, or shipped to be exported beyond the seas, (that is to say) for all coals of *Wales*, or the west of *England*, which shall be shipped for exportation to *Ireland*, or the isle of *Man*, the sum of one shilling for every chalder, (reckoning the chalder to consist of thirty six bushels *Winchester* measure) and after that rate for a greater or lesser quantity; for every chalder (like *Winchester* measure) of coals, which shall be shipped for exportation to any of her Majesty's plantations, the sum of two shillings, and proportionably for any greater or lesser quantity; and for every chalder of coals, (*Newcastle* measure) which shall be shipped for exportation to any parts beyond the seas, (other than as aforesaid) in foreign built bottoms, twelve shillings, and in *English* built bottoms, three shillings, and after those rates for greater or lesser quantities; and for such coals which at any time during the said term of thirty two years, shall be so exported, or shipped to be exported, as aforesaid, for *Ireland*, or the isle of *Man*, or for the plantations, or other parts beyond the seas, (in case they are such coals as are usually sold by weight) the proportional rates following: *viz.* for such coals to be exported for *Ireland*, or the Isle of *Man*, eight pence *per* tun, reckoning the tun to be twenty hundred weight, and for such coals shipped for exportation to the plantations, sixteen pence for every such tun; and for every such tun of such coals which shall be shipped for exportation to any other parts beyond the seas, one third part of the said rates charged thereupon, in case they were shipped by *Newcastle* measure, as aforesaid, and proportionally for greater or lesser quantities: the said respective duties on coals exported to be raised, levied, uplifted, and recovered in the same manner, and under such penalties and forfeitures, and by their rules, ways, and methods, as any other customs or duties, payable to her Majesty upon the exportation of any goods or merchandizes, are by this act, or by any other law or statute now in force, to be raised, levied, uplifted, or recovered in *England* or *Scotland* respectively.

VI. Provided always, and it is hereby enacted, That good security shall be given to the officers of the customs in the respective ports where any of the said coals shall be shipped for exportation to *Ireland*, the isle of *Man*, or any of the said plantations, for landing such coals in *Ireland*, the isle of *Man*, or such plantations respectively, and not elsewhere (danger of the seas and enemies excepted) and in case the ship or vessel, on which the coals for which such security ought to be given, shall depart or go out of port without giving the same, then such ship or vessel, and the coals therein, or the value thereof, shall be for-

Duty upon
coals shipped
to be export-
ed;
made perpetual
by 3 Geo. 1.
c. 7. s. 1.

What to be
paid for coals
carried from
Scotland to
Ireland, or the
isle of *Man*.
9 Ann. c. 23.
s. 90.

Security to be
given for coals
shipped for
Ireland, or the
isle of *Man*,
&c.

The duties on coals 13 Car. 2. c. 7. and 6 Ann. c. 12.

not to be charged during this act.

Additional duties are laid on coals exported in foreign bottoms, by 12 Ann.

stat. 2. c. 9. f. 9. and perpetuated by 6 Geo. 1. c. 4. f. 1.

forfeited, and shall and may be recovered, to wit, one moiety thereof to the use of the Queen, and the other moiety thereof to the use of such person or persons as will seek, inform or sue for the same.

VII. And it is hereby provided and declared, by the authority aforesaid, That during the term of thirty two years last-mentioned, no duties shall be charged or raised to the use of her Majesty, her heirs and successors, for or upon the exportation of any coals to or for any of her Majesty's plantations, by the act for the encouragement of trade, made in the fifteenth year of the reign of the said late King *Charles the Second*, or for any coals to be exported in foreign bottoms, by an act made in the sixth year of her Majesty's reign in that behalf, or for any coals whatsoever, upon the exportation thereof to parts beyond the seas, other than the several and respective rates and duties by this act imposed upon the same, during the continuance thereof; any other law or statute whatsoever to the contrary notwithstanding.

Duty upon coals, culm, and cynders carried coastwise, or imported into Great Britain; made perpetual by 3 Geo. 1. c. 7. f. 1.

VIII. And be it further enacted by the authority aforesaid, That for and during the term of thirty two years, commencing from the said eighth day of *March*, in the year of our Lord one thousand seven hundred and ten, and no longer, there shall be raised, levied, uplifted, collected, and paid, unto and for the use of her Majesty, her heirs and successors, for and upon all coals, culm, and cynders; (except charcoal made of wood) which shall be shipped or water-born, and carried from any port or place in *Great Britain*, to any other port or place within the same, in such manner as is herein after expressed; and for all coals, (if any such be) which shall be imported into *Great Britain* from any foreign parts, the several and respective impositions, rates, duties, and sums of money herein after mentioned, (over and above all such duties as are already granted or payable for or in respect of the same coals, culm, and cynders, so water-born, and carried coastwise, and in respect of the said coals so imported, or any of them) that is to say, for all coals which at any time or times, within or during the said term of thirty two years last-mentioned, shall be imported or brought into the said kingdom of *Great Britain* from any part beyond the sea, (in case they are such coals as are most usually sold by weight) the sum of two shillings for every tun, (reckoning the tun to consist of twenty hundred weight, and every hundred to consist of one hundred and twelve pounds weight of *Averdupois*) and after that rate for any greater or lesser quantity; and for all coals so imported from any part beyond the sea, being most usually sold by the chalder, or by any other measure whatsoever reducible to the chalder, the sum of three shillings for every chalder, reckoning each chalder to consist of thirty six bushels *Winchester* measure, as aforesaid, and after that rate for a greater or lesser quantity of such coals so imported, or brought in from any foreign parts; the said duties for foreign coals imported, or brought in as aforesaid,

Duty on coals imported from foreign parts. Made perpetual by 3 Geo. 1. c. 7. f. 1.

said, to be paid by the respective importer or importers thereof: On coals carried coastwise.
 and for all sorts of coals from time to time shipped, or water-born in order to be shipped, or laid on board any ship or vessel to be carried by sea, and which shall be carried by sea, in any ship or vessel from any port or place within the said kingdom of *Great Britain*, and which at any time or times, within or during the same term, shall be imported, brought or landed in any other port or place within the said kingdom of *Great Britain*, being most usually sold by the chalders, or by any other measure whatsoever reducible to the chalders, the sum of two shillings for every chalders, to be reckoned, as aforesaid, and after that rate for a greater or lesser quantity; and for all sorts of coals from time to time so shipped, or water-born in order to be shipped, and carried by sea, from any port or place of the kingdom of *Great Britain*, and which at any time or times during the same term, shall be imported, brought or landed in any other port or place of the same. (in case they are such as are most usually sold by weight) the sum of sixteen pence for every tun, and according to that proportion for more or less, the said several duties for coals so shipped, or water-born to be shipped and carried by sea, as aforesaid, from time to time to be paid at the respective ports and places of importation, or landing of such coals, and to be charged on the respective owner and owners, master or other persons having the charge of every such ship or vessel, or of the coals so carried, imported, or brought in the same: and for all culm whatsoever, which at any time during the same term of thirty two years, shall be water-born in order to be shipped within the said kingdom of *Great Britain*, or brought into the same, the sum of four pence, and eight tenth parts of a penny, for every such chalders, as aforesaid, and after that rate to be paid at the respective ports and places of importation or landing of such culm, and to be charged on the respective owner and owners, or master or masters, or other persons having the charge of the ship or vessel, or of the culm so carried, imported, or brought in the same: Duty on culm.
 and for all cynders made of pit-coal, which at any time or times during the same term of thirty two years shall be shipped, or water-born in order to be shipped within the said kingdom of *Great Britain*, or brought into the same, the sum of two shillings for every such chalders, as aforesaid, and after that rate for a greater or lesser quantity, to be paid at the respective ports and places of importation or landing such cynders, and to be charged upon the respective owner and owners, master and masters, or other persons having the charge of the ship or vessel in which the said cynders shall be carried, imported, or brought. Duty on cynders.

IX. And it is hereby enacted by the authority aforesaid, That the said several duties by this act imposed, within and throughout the said kingdom of *Great Britain*, for and upon such coals, culm, and cynders which shall be water-born, and carried coastwise, or from one part of *Great Britain* to any other part of the same, as aforesaid, during all the time and term by These duties on coals, &c. to be levied as by the act 4 Ann. c. 6.

4 Annæ, c. 6.

this act granted therein, and all arrearages thereof, shall and may be raised, levied, collected, and recovered in such or the like manner and form, and subject to such alterations and repayments, and under such penalties, forfeitures, disabilities, and according to such rules, and methods, and directions as by the act of parliament made in the fourth year of her Majesty's reign, intituled, *An act for continuing an additional subsidy of tonnage, and poundage, and certain duties upon coals, culm, and cynders; and additional duties of excise; and for settling and establishing a fund thereby, and by other ways and means, for payment of annuities, to be sold for raising a further supply to her Majesty for the service of the year one thousand seven hundred and six, and other uses herein mentioned, or by any other law or statute whatsoever were prescribed or appointed for the raising, levying, securing, collecting or recovering the duties upon the like coals, culm, and cynders, which had continuance until the thirtieth day of September, one thousand seven hundred and ten; and that all and every the powers, authorities, rules, directions, penalties, forfeitures, disabilities, clauses, matters, and things, which were contained in the said act of the fourth year of her Majesty's reign, or were or are in any other acts or statutes thereby referred unto, for the managing, raising, levying, securing, collecting, recovering or accounting for the said duties, upon coals, culm, and cynders, which were granted or continued until the said thirtieth day of September, one thousand seven hundred and ten, as aforesaid, shall be and are, by force and virtue of this present act, revived, and shall be in full force, and be duly observed, practised, and put in execution, in and for the managing, raising, levying, securing, recovering, and accounting for the duties upon the like coals, culm, and cynders by this act granted, for and during the whole term hereby granted of and in the same, and all arrearages thereof, as fully and effectually, to all intents and purposes, as if the same powers, authorities, rules, directions, penalties, forfeitures, disabilities, clauses, matters and things, were again expressed, and particularly repeated and re-enacted in the body of this present act.*

Coals carried from Sterling to Dunbar or Redhead not chargeable.

X. *And whereas a doubt may arise whether coals, culm or cynders carried from the bridge of Sterling, which is on the Firth of Forth, to the town of Dunbar, or to Redhead, are liable to the duties by this act imposed, as if they were carried to sea; it is hereby provided, enacted and declared, That such coal, culm and cynders, so carried from the bridge of Sterling to the town of Dunbar, or to Redhead, or to any part betwixt them, shall not, by reason of such carriage, be liable to the duties by this act imposed; any thing in this act contained to the contrary notwithstanding.*

Duties on candles for 32 years from 25 March, 1711. Made perpetual by 3 Geo. 1. c. 7. sect. 1.

XI. *And be it further enacted by the authority aforesaid, That there shall be raised, levied, collected and paid, unto and for the use of her Majesty, her heirs and successors, for and upon all candles which, at any time or times, within or during the term of thirty-two years, to be reckoned from the twenty-fifth day of March, in the year of our Lord one thousand seven hundred and eleven, shall be imported or brought into the kingdom*

of

of *Great Britain*, or made within the same, (over and above all other customs, subsidies, duties of excise, or other duties already imposed thereupon, or to be paid for the same, by or during the continuance of any act or acts of parliament in that behalf) the further duties herein after mentioned: that is to say, for all candles made of wax, or usually called or sold for wax-candles, (notwithstanding the mixture of any other ingredients therewith) which shall be so imported, the sum of four pence for every pound weight *Averdupois*, and after that rate for a greater or lesser quantity; and for all candles made of tallow, and other candles whatsoever, (except the wax candles before charged) which shall be so imported, one half-penny for every pound weight *Averdupois*, and after that rate for a greater or lesser quantity; the said several duties for and upon all imported candles to be paid down in ready money by the importers thereof, before the landing of the same respectively; and there shall be raised, levied, collected, and paid, to and for the use of her Majesty, her heirs, and successors, for and upon all candles, which at any time or times, within or during the said term of thirty two years last-mentioned, shall be made within the said kingdom of *Great Britain*, the further duties herein after mentioned; that is to say, for all candles of wax, or usually called or sold for wax candles, (notwithstanding any mixture, as aforesaid,) which shall be so made in *Great Britain*, the sum of four pence for every pound weight *Averdupois*, and after that rate for a greater or lesser quantity; and for all candles of tallow, and other candles whatsoever, (except the wax candles before charged) which shall be so made in *Great Britain*, one half penny for every pound weight *Averdupois*, and after that rate for a greater or lesser quantity; the said several duties for the said candles, so to be made in *Great Britain*, to be paid by the makers thereof respectively.

XII. And it is hereby enacted by the authority aforesaid, Duty on candles to be levied as by 8 Annæ, c. 9.
That the several and respective duties by this act imposed for and upon all candles imported or made, as aforesaid, for and during all the term of years hereby granted, of and in the same, and all arrearages thereof, shall and may, from time to time, be raised, received, levied, recovered, and secured, by such ways and means, and under such penalties and forfeitures, and with such power of adjudging and mitigating penalties and forfeitures, and with such power of making compositions, and other powers, and subject to such allowances, drawbacks, rules, and directions, and in such methods, manner, and form, as the like duties upon candles granted by an act of the eighth year of her Majesty's reign, whereby certain duties were laid upon candles, towards raising her Majesty's supply for the year one thousand seven hundred and ten, are by that act, or by any law or statute thereby referred unto, prescribed, appointed, or enacted to be raised, received, levied, secured, or recovered, during the continuance thereof; and that the act last-mentioned, and all the clauses, penalties, forfeitures, powers, authorities, rules, directions,

rections, matters, and things therein contained, or thereby referred unto, for the raising, receiving, levying, recovering, securing, compounding, paying, or accounting for the said duties upon candles thereby granted, during the continuance thereof, or any arrearages of the same, are and shall be, by force and virtue of this act, continued, practised, and put in execution, for raising, receiving, levying, recovering, securing, compounding, paying, and accounting for the duties upon candles by this act granted, and making allowances out of the same, during the said term of thirty two years hereby granted, and all arrearages thereof, as fully and effectually, to all intents and purposes, as if they were particularly, and at large repeated in the body of this present act.

Stock in hand
on 25 March,
1711.

XIII. And it is hereby further enacted by the authority aforesaid, That for all candles which any wax chandler, tallow chandler, or other sellers or dealers in candles in *Great Britain*, or any person or persons in trust for him, her, or them, or for his, her, or their use, shall be possessed of, or interested in, upon the said five and twentieth day of *March*, one thousand seven hundred and eleven, for sale, there shall be yielded and paid to her Majesty, (over and above the duties before this time imposed thereupon) the like respective rates, as are by this act to be paid for the like sorts of candles to be made after the said five and twentieth day of *March*, one thousand seven hundred and eleven; and that all the directions, powers, penalties, forfeitures, rules, and clauses whatsoever, contained in the said act of the eighth year of her Majesty's reign, relating to the stock of candles which was in the hands of any chandlers, or other sellers or dealers in candles, or of others in trust for them, or any of them, or to their use, on the first day of *May*, one thousand seven hundred and ten, shall, by force and virtue of this act, be exercised, practised, and put in execution, in and for ascertaining, securing, charging, levying, recovering, and paying the rates by this act imposed upon the stock of candles, which shall be in the hands of any such persons, as aforesaid, on the said five and twentieth day of *March*, one thousand seven hundred and eleven, and for making allowances and drawbacks in respect thereof.

8 Annæ, c. 9.

Comp. under
to pay their
composition
money for the
duties by the
act 8 Ann
and this act,
&c.

XIV. And be it further enacted by the authority aforesaid, That all and every person and persons, who by virtue or in pursuance of the act before-mentioned, of the eighth year of her Majesty's reign, or of this present act, have made, or shall make any composition for the duties on their candles by that act, and this present act, or either of them, granted, shall from time to time, during the continuance of the said respective duties, continue such their composition for the duties thereby, and by this act granted, and pay their composition money, according to the purport, true intent and meaning of the same acts, or in default thereof, shall be, and are hereby charged and made liable to pay unto her Majesty, her heirs and successors the several and respective duties by the said act of the eighth year of her Majesty's reign, and this present act, charged upon

8 Ann. c. 9.

upon all candles, which he, she, or they, or any person or persons in trust for him, her or them, shall be possessed of at the time of the determination of such composition; and that all and every such person and persons who have or hath made, or shall make such composition for their said duties upon candles, as aforesaid, and shall make default in continuing the same, shall within ten days after making such default, make true and particular entries upon oath, and in case such person be a Quaker, then upon his, her, or their affirmation, of all such candles as they, or any of them, or any person or persons in trust for them, or any of them, shall be possessed of, or have in his or their custody or possession, at the office of excise, within the limits of which they shall respectively inhabit, upon pain to forfeit the sum of twenty pounds, and the candles of which no such entry shall be made; and within six days after he, she, or they shall have made, or ought to have made, their respective entries, as aforesaid, shall pay down to the person appointed to receive the same, the duties hereby, and by the said act of the eighth year of her Majesty's reign, charged upon the same, or in default thereof, shall forfeit and lose double the value of the said candles; and that the houses, outhouses, and other places belonging to such compounders, who shall make default in continuing such their compositions, as aforesaid, shall be, and are hereby made liable to the search and view of the officers for the said duties, in the same manner, and under the same penalties and forfeitures, as other persons making candles for sale, are liable unto.

XV. Provided always, That this act shall not extend, or be construed to extend to charge the duties on candles herein before-mentioned, on such small rush lights as shall be made by any persons, to be used in their own houses only, so as none of them be sold or delivered out, or be made for sale, and so as such small rush lights be only once dipped in, or once drawn through grease, or kitchen-stuff, and not at all through any tallow melted or refined; any thing herein contained to the contrary notwithstanding.

Small rush lights once dipped, not chargeable.

XVI. And whereas several people, who have made candles for their own private use only, have through ignorance or inadvertency, contrary to an act made in the eighth year of the reign of her present Majesty, intituled, An act for laying a duty on candles, neglected giving due notice in writing to the next office of excise, as the said act requires, and as they ought to have done; be it therefore enacted by the authority aforesaid, That all and every such person or persons, shall be and are hereby freed and discharged of and from all and every the pains, penalties, and forfeitures of the said act, not recovered before the six and twentieth day of February, one thousand seven hundred and ten: provided, that such person or persons, having so neglected and offended as aforesaid, do, before the first day of May, one thousand seven hundred and eleven, pay or cause to be paid (unto the proper officer, as the said act directs) the duty which by him, her or

8 Ann. c. 9.

Persons ignorantly having made candles, and not given notice to the next office, indemnified, paying the duty by 1 May 1711.

them, respectively, ought to have been paid, by virtue of that act; and in default thereof, such person or persons respectively shall lose the benefit of the indemnity granted by the said act.

XVII. And for the better levying and raising the several duties and sums of money by this act granted, which are to arise upon the exportation or importation of any goods, merchandizes, or commodities whatsoever, or upon such coals, culm, and cynders, as shall be waterborn and carried coastwise, as aforesaid; it is hereby enacted, That such of the said duties and sums of money as shall arise or be due or payable in that part of *Great Britain* called *England, Wales*, of the town of *Berwick upon Tweed*, shall, from time to time, be under the management and government of the commissioners of the customs in *England* for the time being, who shall cause those duties from time to time, to be raised, levied, collected, and paid to the receiver or receivers general of the customs in *England* for the time being; and that such receiver or receivers general in *England* for the time being, shall pay all the money arising thereby (such additional charges, as shall be necessary for receiving, levying, managing, paying, and accounting for the same, excepted) into her Majesty's receipt of Exchequer, distinct and apart from all other branches of the publick revenue, weekly, to wit, on *Wednesday* in every week, if it be not an holy-day, and if it be, then on the next day after that is not an holy-day, for the purposes in this act expressed, and under the penalties, forfeitures, and disabilities herein after-mentioned; and that such of the said duties and sums of money by this act granted, which shall arise, or be due or payable in that part of *Great Britain* called *Scotland*, upon the exportation or importation of any goods, merchandizes, or commodities whatsoever, or upon such coals, culm, and cynders, as shall be waterborn or carried coastwise, as aforesaid, shall, from time to time, be under the management and government of the commissioners of the customs in *Scotland* for the time being, who shall cause those duties, from time to time, to be raised, levied, collected, and paid to the receiver or receivers general of the customs in *Scotland* for the time being; and that such receiver or receivers general of the customs in *Scotland* for the time being shall transmit and pay, or cause to be paid, all the monies arising thereby (such additional charges as shall be necessary for receiving, levying, managing, paying, and accounting for the same, excepted) into her Majesty's receipt of Exchequer in *England*, distinct and apart, as aforesaid, from time to time, as such receiver or receivers general in *Scotland* shall have received any such monies, as aforesaid, for the purposes in this act expressed, and under the penalties, forfeitures, and disabilities herein after-mentioned.

XVIII. And whereas by an act of parliament, made in the fourteenth year of the reign of King Charles the Second, intituled, An act for preventing frauds, and regulating abuses in his Majesty's customs, and by the said act of union relating therunto, it is pro-

The duties arising by Exportation or Importation, to be under the management of the commissioners of the customs, &c.

vided, that every merchant or other person who shall export any goods or merchandizes from any port of this kingdom, capable of a ship or vessel of two hundred tuns, upon an ordinary full sea, to any port or place of the Mediterranean sea, beyond the port of Malaga, in any ship or vessel, hath not two decks, and doth carry less than sixteen pieces of Ordnance mounted, together with two men for each gun, and other ammunition proportionable, shall pay for all the wares and merchandizes so exported or imported, an additional duty of one per cent. as is thereby prescribed; and by an act of the sixth year of her now Majesty's reign, intituled, An act for encouraging the dressing and dying of woollen cloths within this kingdom, by 6 Annæ, c. 8. laying a duty upon broad cloth exported white, it is enacted, That a duty of five shillings shall be paid to her Majesty, her heirs and successors, for every white woollen cloth, commonly called broad cloth, which shall be exported out of this kingdom into foreign parts, as by that and several acts may more fully appear: now it is hereby further enacted by the authority aforesaid, That all the monies which at any time or times, within or during the said term of thirty two years, to be reckoned from the said eighth day of March, one thousand seven hundred and ten, shall arise, or be due or payable, as well of or for the said additional duty of one per cent. for goods to be exported in such ships, as aforesaid, as of or for the said duty on white woollen cloths, formerly granted or imposed, as aforesaid, shall also be under the government and management of the commissioners of the customs for the time being, in England and Scotland respectively, who shall also cause those duties, from time to time, to be raised, levied, collected, and paid to the said respective receiver or receivers general for the time being; and that the said receiver general in England for the time being, shall also pay the monies thereof which he shall receive (necessary charges excepted) into her Majesty's receipt of Exchequer in England, weekly, as aforesaid, for the purposes in this act expressed, under the penalties, forfeitures, and disabilities herein after-mentioned; and the said receiver general in Scotland for the time being, shall likewise pay or transmit the money which he shall receive of the particular duties last-mentioned (necessary charges, as aforesaid, excepted) into the same receipt of Exchequer in England, from time to time, as he shall have received the same, for the purposes in this act expressed, and under the penalties, forfeitures, and disabilities herein after-mentioned.

Duty of one per cent. on goods exported to the Mediterranean, &c. and on white woollen cloths exported, appropriated for 32 years. Made perpetual by 3 Geo. I. c. 7.

XIX. And it is hereby enacted and declared by the authority aforesaid, That the said subsidy of poundage upon several goods and merchandizes to be exported; and the said duty to arise upon the exportation of leather, sheep-skins, and calve-skins tanned, tawed, or dressed; and the said several duties to arise upon coals to be exported for parts beyond the seas, and the said several duties to arise by coals, culm, and cynders, which shall be waterborn, and carried from one part of Great Britain to any other part of the same; and the money hereby appointed to be brought into the Exchequer of or for the said additional duty

Appropriation of the several duties,

of one *per cent.* on goods exported in such ships, as aforesaid; and the said duty on white woollen cloths; and the said duties upon candles made in *Great Britain*, or imported into the same; and all other the duties and sums of money by this act granted, shall be liable to, and charged and chargeable with, the yearly fund herein after-mentioned, and to and with all the payments to be made out of the same in pursuance of this act, during the whole term of thirty two years herein after expressed; and all the same subsidies, duties, and sums of money (except the necessary charges for execution of this act) are and shall be appropriated thereunto in such manner, that all the monies which shall, from time to time, be or remain due or in arrear for principal or interest upon this act, shall, from time to time, be paid and satisfied out of the said several and respective duties by this act granted or appointed for the payments thereof, without being diverted to any other use, intent or purpose whatsoever, under such penalties, forfeitures, and disabilities, as are hereafter in this act contained in that behalf.

XX. And to the end all the monies arising by the said subsidy or poundage upon several goods and merchandizes to be exported; and by the said duty upon leather and such skins to be exported, as aforesaid; and by the said several duties to arise upon coals to be exported from parts beyond the seas; and by the said several duties to arise upon coals, culm, and cynders, to be waterborn, and carried coastwise as aforesaid; and by the said additional duty of one *per cent.* on goods exported to the *Mediterranean* sea, as aforesaid; and by the said duty upon white woollen cloths to be exported; and by the said duties upon candles made in *Great Britain*, or imported into the same; or by any other the duties granted or appropriated, and every of them, may be duly, and certainly raised and brought into the said receipt of Exchequer for the purposes aforesaid; it is hereby further enacted by the authority aforesaid, That, from time to time, during the continuance of this act, there shall be appointed and kept, such and so many commissioners of customs and excise, receivers general, collectors, surveyors, and other judicial and ministerial officers, as shall be proper and necessary for managing, governing, adjudging, levying, receiving, collecting, and paying the said respective duties by this act granted or appropriated, and for keeping and rendering the accounts of the same; and that the said receivers general, collectors, surveyors, and other officers, who are or shall be concerned in the raising, collecting, receiving, and paying the same respective duties, or any of them, and keeping and rendering the several accounts thereof, shall perform their several duties therein, as to them respectively shall appertain, under such and the like penalties, forfeitures, and disabilities, for any offence or neglect therein, or for detaining, diverting, or misapplying any part of the said monies, as are prescribed, and to be inflicted by virtue of an act of parliament, made and passed in the ninth year of the reign of his late Majesty King *William* the Third, intituled,

The officers
for managing
these duties
liable to the
act 9 & 10
W. 3. c. 44.

9 & 10 W. 3.
c. 44.

An

An act for raising a sum not exceeding two millions, upon a fund for payment of annuities after the rate of eight pounds per centum per annum, and for settling the trade to the East Indies, for the like offence or neglect relating to the duties upon salt, and upon stamps, vellum, parchment, and paper thereby granted, or referred unto, or for detaining, diverting, or misapplying any part of the monies which were granted or appropriated by the act last mentioned.

XXI. And be it enacted by the authority aforesaid, That ^{135,000l. to be} yearly, and every year, during the term of thirty two years, ^{the yearly} reckoning the first year to begin from the five and twentieth day ^{fund.} of March, one thousand seven hundred and eleven, the full sum of one hundred thirty five thousand pounds, by or out of the monies to arise by the several duties, rates, and sums of money by this act granted or appropriated, or any of them, and to be brought into the receipt of the Exchequer, as aforesaid, in case the same shall extend thereunto, shall be computed and reckoned to be a yearly fund; and in case all the monies arising into the Exchequer for the said duties, rates, and sums of money so granted or appropriated, shall not amount to the sum of one one hundred thirty five thousand pounds *per annum*, then the monies so arising, so far as the same shall extend, shall be part of the yearly fund, for and towards the answering and paying of all and every the principal sums herein after mentioned, amounting in the whole to the sum of one million nine hundred twenty eight thousand five hundred and seventy pounds principal money, together with interest for the same, after the rate of six pounds *per centum per annum*, as herein after is mentioned; and in case the said duties by this act granted or appropriated, shall, ^{Deficiency to} at any time or times, appear to be so deficient or low in the pro- ^{be made good} duce of the same, as that within any one year, to be reckoned ^{by parliament,} as aforesaid, the said monies arising into the Exchequer, for or upon account of the same duties, shall not amount to as much as one hundred thirty five thousand pounds, That then, and so often, and in every such case, so much as shall be wanting to make up the said fund, ^{&c.} sum of one hundred thirty five thousand pounds for every or any such year, shall be supplied and made good from time to time, out of the first aid or supply to be granted in parliament next after such deficiency shall appear, and shall from time to time, be transferred thereunto, as soon as the same shall be granted; and in case no such aid or supply shall be granted, then by and out of any publick money which shall be in the said receipt of Exchequer, not appropriated to any particular use or uses by act of parliament; and the commissioners of the treasury now being, or the lord high treasurer, or commissioners of the treasury for the time being, are hereby strictly enjoined and required to make up such deficiency accordingly, out of such unappropriated publick money, without any further or other warrant or authority for the same.

XXII. And be it further enacted by the authority aforesaid, ^{Natives or fo-} That ^{reigners may}

become ad-
venturers.

That it shall and may be lawful for any person or persons, natives or foreigners, bodies politic or corporate, to contribute for or towards advancing the sum of one million five hundred thousand pounds, for carrying on the said war by paying at or before the respective days and times by this act limited in that behalf, to any receiver or receivers to be appointed for that purpose, as is herein after mentioned, the sum of ten pounds, or divers entire sums of ten pounds, upon this act; and that for the raising the said sum of one million five hundred thousand pounds, any person who will become a contributor or adventurer, shall and may advance the sum of ten pounds, for which sum so advanced, he, she, or they shall be entitled to receive such principal money, and the interest thereof, to be paid as herein after is mentioned, by and out of the said yearly fund, and the surplus monies over and above the said yearly fund (if any such surplus monies shall arise) by virtue of this act: and that every contributor or adventurer may advance as many entire sums of ten pounds, as he, she, or they shall think fit; and for every such sum of ten pounds so advanced, he, she, or they is, or are to be interessed in one lot or share of and in the said yearly fund, and the surplus money over and above the said yearly fund (if any such surplus shall arise) by virtue of this act; and the said entire sum of ten pounds each, are hereby appointed to be paid unto such receiver or receivers, at or before the respective days and times, and in the respective proportions herein after mentioned; that is to say, one fourth part thereof, on or before the first day of *May*, in the year of our Lord one thousand seven hundred and eleven; one other fourth part thereof, on or before the first day of *June*, in the said year of our Lord, one thousand seven hundred and eleven; one other fourth part thereof, on or before the second day of *July*, in the said year of our Lord one thousand seven hundred and eleven; and the remaining fourth part thereof, on or before the first day of *August*, in the said year of our Lord one thousand seven hundred and eleven.

Times of pay-
ment.

Her Majesty to appoint managers for the lottery. Books to be provided with three columns, &c. Receivers to be appointed by the treasury. Managers to examine the books, and deliver them to the receivers, &c. Tickets how to be delivered out. Receivers to redeliver the books, &c. by 12 Sept. 1711. Middle column tickets to be rolled up, and put into a box, and twenty four thousand nine hundred ninety eight tickets shall be fortunate; that is to say, one of them twelve thousand pounds principal money; three of them five thousand pounds; four of them four thousand; four of them three thousand pounds; four of them two thousand pounds; twenty of them one thousand pounds; thirty of them five hundred pounds; one hundred of them two hundred pounds; two hundred and fifty of them one hundred pounds; one thousand four hundred thirty one of them fifty pounds; and twenty three thousand one hundred fifty one of them severally, twenty pounds principal money: together with five hundred pounds to the first drawn ticket, and five hundred pounds to the last drawn ticket; which will amount in the whole to six hundred seventy eight thousand five hundred and seventy pounds; which sum being added to one million two hundred and fifty thousand pounds, the principal payable on the remaining one hundred twenty five thousand blank

Blank tickets, amount together to one million nine hundred twenty eight thousand five hundred and seventy pounds. If one million five hundred thousand pounds be not paid in, then the fund to be proportionable to the sum advanced. Blanks to have ten pounds principal money, and interest at six pounds per cent. The tickets to be put into another box. No money to be received after 1 May, 1711. Publick notice of the time of cutting the tickets. The manner of drawing the tickets. The manner of the second drawing, in the course of payment. A table of the course of payments, to be printed. Managers to adjudge to whom the fortunate tickets belong. Fortunate tickets to be printed. Forging tickets felony. Managers may commit forgers. Managers to make a book of the fortunate, and transmit it to the Exchequer. Payments to be half-yearly. Managers to be sworn: Their oath. Penalty on officers of the Exchequer and other officers of ending. Money lent tax-free. Tickets to be exchanged for standing orders. Notice to be given in the Gazette of the times for taking in tickets, and delivering out orders. Orders to be numbered in course, and payment accordingly. Any number of tickets, not exceeding one hundred, may be included in one order, so as they be in the same thousand. Several orders for small sums in the same thousand, may be exchanged into one order for larger sums. The monies arising by this act, to be applied to pay off the principal and interest. Deficiency of one year to be made good out of the first money to arise in the next year. Surplus of every year to be applied to pay principal. Publick notice to be given when orders shall become payable. Ten pounds per cent. allowed on the first payment. Six pounds per cent. on the other three payments. Receiver to have one penny in the pound, &c. Receivers may take in monies before they receive their books. Contributor advancing one part of the payment, and failing in the rest, forfeits what paid. Treasury to appoint a paymaster, &c. Assignments of all standing orders to be registred. Officers to be paid out of the monies arising by this act. Treasury may divide extraordinary benefits of two thousand pounds or upwards, into orders of five hundred pounds, &c. If principal and interest be fully discharged before the thirty two years, then duties to cease. Overplus disposable by parliament. Guardians may contribute for infants. *This fund is redeemed, and the omitted sections are expired.*

LIII. *And whereas a doubt may arise whether all pieces of linen 40 ells of linen cloth under forty ells exported, are liable to the duty of six pence, by this act or any former act imposed, and hereby revived; It is hereby provided and enacted by the authority aforesaid, That only forty ells of linen cloth, exported to foreign parts, shall pay six pence, and after that rate for a greater or lesser quantity of ells; any thing in this or any former act contained to the contrary notwithstanding.*

LIV. *And whereas all the copper ores found within the county of Cornwall, and carried to be melted at such places where coals pay no duty; be it enacted by the authority aforesaid, That from and after the eighth day of March, one thousand seven hundred and ten, all coals that shall be used for melting copper and tin ores within the counties of Cornwall and Devon, for which duties have been first answered, shall upon proof by oath made before the customer or collector of the said duties (which oath he is hereby impowered to administer) have a drawback for all the duties on the said coals, to be paid by the collector of the duties to such person so making proof, as aforesaid.*

LV. *And, for the encouragement of the iron manufacture Iron, &c. imported and afterwards exported and afterwards exported and afterwards exported*

ported, to have
no drawback.

said, That from and after the five and twentieth day of *March*, one thousand seven hundred and eleven, there shall not be allowed any drawback, or re-payment of customs or duties charged upon any iron or steel that hath or shall be imported into *Great Britain*, and afterwards exported to or for her Majesty's plantations or colonies in *America*; any clause in any former act to the contrary notwithstanding.

Act 10 W. 3.
c. 17. con-
cerning lot-
teries, to be
put in execu-
tion.
Amended and
enforced by
12 Geo. 2. c. 28.

LVI. *And whereas, notwithstanding an act made in the tenth year of the reign of the late King William, intituled, An act for suppressing of lotteries, and the prohibitions and penalties therein, several persons of late have presumed, contrary to the intent of the said act, to set up lotteries in imitation of the lottery directed to be drawn by virtue of an act of parliament, and other lotteries, which are prejudicial to the publick, and tend greatly to defraud her Majesty's subjects; be it further enacted by the authority aforesaid, That the said act of the tenth year of the late King William, shall be put in execution: and for the more effectual suppressing and preventing such unlawful lotteries, the justices of the peace, and all mayors, bailiffs, head officers, constables, and other her Majesty's civil officers, within their respective jurisdictions, are hereby impowered and required to use their utmost endeavours to prevent the drawing of any such unlawful lottery, heretofore or hereafter to be set up, by all lawful ways and means; and that every person who after the eighth day of *March*, one thousand seven hundred and ten, shall set up, or shall by writing or printing, publish the setting up any such unlawful lottery, with intent to have such lottery drawn, shall forfeit for every such offence one hundred pounds, to be recovered by information, bill, plaint, or action at law, in any of her Majesty's courts at *Westminster*, wherein no essoin, wager of law, nor any more than one imparlance shall be allowed; one third part thereof to the use of her Majesty, her heirs and successors; one other third part thereof to the use of the poor of the parish where such offence shall be committed; and the other third part thereof together with full costs to the party who shall inform, and sue for the same.*

Persons set-
ting up such
lotteries for-
feit 100l.

Persons setting
up insurances
or marriages,
births, &c.
forfeit 500l.

LVII. *And whereas several ill-disposed persons, who design to defraud her Majesty's subjects, have of late presumed to erect and set up offices or places, for making insurances on marriages, births, christnings, or service, which practices are also prejudicial to the publick, and tend to defraud her Majesty's subjects; be it further enacted by the authority aforesaid, That every person or persons, who after the eighth day of *March*, one thousand seven hundred and ten, shall erect or set up any office or place, for making assurances on marriages, births, christnings, and service, or on any of them, shall forfeit for every such offence the sum of five hundred pounds, to be recovered and distributed in such manner, as the penalty of two hundred pounds last mentioned, is to be recovered and distributed; and every person or persons, who after the said eighth day of *March*, in any office or place, before the said eighth day of *March* erected or set*

Contracting
for new insu-
rances in of-
fices already
set up, forfeit
100l.

set up, for making insurances on marriages, births, christnings, and service, or on any of them, shall make or suffer to be made therein any new insurances, or contracts for new insurances on marriages, births, christnings, and service, or any of them, ~~that~~ ^{shall} forfeit for every such offence, the sum of one hundred pounds, to be recovered and distributed in like manner.

LVIII. ~~Provided~~ nevertheless, That such offices and places erected, ~~set up~~, or used before the said eighth day of *March*, for making insurances on marriages, births, christnings, and services, or on any of them, may be continued after the said eighth day of *March*, for making good, and executing only such insurances or contracts for insurances therein respectively made before the said eighth day of *March*, as they might have continued if this act had not been made; any thing herein contained to the contrary thereof notwithstanding.

Offices set up before 8 Mar. may be continued, for making good the former insurances only.

LIX. *And whereas some doubt hath arisen, whether long pepper might not be chargeable with the additional duty of one shilling and six pence per pound, chargeable upon all and all manner of pepper, by virtue of the act made the last session of parliament, for granting to her Majesty new duties of excise upon several imported commodities; for preventing therefore of any disputes concerning the same; be it declared and enacted by the authority aforesaid, That long pepper shall not be deemed, construed or taken to be charged or chargeable with the said duty of one shilling and six pence per pound; any thing in the said last-mentioned act contained to the contrary thereof in any wise notwithstanding.*

Long pepper not chargeable with 1s. 6d. per lb. 8 Ann. c. 6. f. 6.

Some benefit tickets in the last lottery not being adjusted, present managers may settle them before 27 May, 1711. EXP.

CAP. VII.

An act for enabling and obliging the bank of England, for the time therein mentioned, to exchange all Exchequer bills for ready money upon demand; and to disable any person to be governor, deputy governor, or director of the bank of England, and a director of the East India company, at the same time.

MAY it please your most excellent Majesty, whereas, in pursuance of an act of parliament, made in the seventh year of your Majesty's reign, (amongst other things) for enlarging the capital stock of the bank of England, several bills, commonly called Exchequer bills, have been made forth, amounting in principal money to two millions and five hundred thousand pounds, for her Majesty's supply; and in pursuance of another act of the same session of parliament, made (amongst other things) for circulating a further sum of Exchequer bills; and of an act made in the eighth year of your Majesty's reign, intituled, An act for granting an aid to her Majesty, to be raised by a land tax in Great Britain, for the service of the year one thousand seven hundred and ten, further Exchequer bills, to the amount of four hundred thousand pounds in principal money, have been

7 Annæ, c. 7.

7 Annæ, c. 8.

8 Annæ, c. 1.

been also made out and issued for her Majesty's supply: and whereas in pursuance of the said acts, (over and above the bills aforesaid, amounting in the whole to two millions nine hundred thousand pounds) other Exchequer bills for interest, after the rate of two pence per centum per diem, and for a certain allowance, after the rate of three pounds per centum per annum, have been made forth, and are still to be made forth quarterly, until the funds established in the said acts shall take effect, as is thereby directed; and the said governor and company of the bank of England, by the said acts, or some of them, are obliged and required to exchange such of the said Exchequer bills, which (after the making forth of the same) have been or shall have been paid to any receivers or collectors of any of your Majesty's revenues, aids, taxes, or supplies, as have been or shall have been exchanged by such receivers or collectors for ready money, and which also have been or shall have been paid by such receivers or collectors into her Majesty's Exchequer and likewise have been or shall have been reissued or repaid from her Majesty's Exchequer, in the manner and form in the said acts expressed, as the said governor and company shall be required to exchange by any person or persons whatsoever, for ready money, and so toties quoties, as often as the said bills should be paid into the Exchequer by such receivers or collectors, and be from thence reissued in manner and form thereby prescribed; and the said governor and company are not, by the said acts, or any of them, obliged to exchange or pay ready money for any of the said bills until the said bills shall have had a currency in the revenue or taxes, and shall have been reissued at the Exchequer, as aforesaid, and so toties quoties, in manner and form, as aforesaid; and by the said acts, or some of them, the said funds are further charged with a sum of two hundred thousand pounds yearly, for the discharging and cancelling the said bills, as in and by the said several acts of parliament (relation being thereunto respectively had) may more fully appear: and whereas we your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, did resolve on the sixteenth day of January, one thousand seven hundred and ten, That an annual sum, not exceeding forty five thousand pounds, should be granted, to enable your Majesty to contract for answering all necessary Exchequer bills, by exchanging them from time to time for ready money; and thereupon the said governor and company have humbly proposed, that in case a sufficient fund should be granted to your Majesty for payment of forty five thousand pounds per annum to the said governor and company, by quarterly payments, from the time their undertaking in this behalf shall commence, until the one and thirtieth day of July, one thousand seven hundred and fourteen; and if a like sum of forty five thousand pounds per annum, to commence and take effect from the said one and thirtieth day of July, one thousand seven hundred and fourteen, and to be also payable quarterly out of the funds established by the said acts, or some of them, for the payment of the said interest and allowance, and for discharging and cancelling the said Exchequer bills, shall (after the payment of such interest and allowance, and with preference to the cancelling or discharging any of the said bills) be appropriated and continued to the said governor and company, until such time as all the said quarterly

Contract with
the bank, for
answering
non-specie
Exchequer
bills.

terly Exchequer bills, made or to be made for interest or allowance, as aforesaid, upon the said bills for two millions nine hundred thousand pounds, together with a million of the said bills for two millions nine hundred thousand pounds, shall be paid and cancelled, or until such time as of the said bills for two millions nine hundred thousand pounds, and quarterly bills taken together, there shall not be standing out and uncanceled more than one million nine hundred thousand pounds in the whole; they the said governor and company in consideration thereof, for the publick service, further than the acts before-mentioned require) are willing to undertake, and be obliged, after such time as should be agreed on, to exchange for ready money all such of the said Exchequer bills, as from time to time, and at all times then after, should be in the hands of any person or persons, and be demanded of the said governor and company to be exchanged for ready money, whether such bills, or any of them, should, or should not have passed, or had a currency in your Majesty's revenue or taxes, as aforesaid: the said governor and company at the same time also proposing, that they may be empowered to contract and agree with any persons for advancing to the said governor and company, from time to time, such sums on such terms as they shall find necessary for the more secure making good such undertaking; and that they might have such other clauses granted them as might be reasonable for enabling them to perform the same: now to the end the undertaking so offered may obtain its full and due effect for the advantage and service of your Majesty and your subjects, we your Majesty's said dutiful and loyal subjects, the commons of Great Britain in parliament assembled, do most humbly beseech your Majesty, that it may be enacted; and be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by authority of the same, That for the better enabling the said governor and company of the bank of *England*, and their successors, to perform such undertaking, the full sum of forty five thousand pounds *per annum*, or so much money as shall be after the rate of forty five thousand pounds *per annum*, shall be well and truly paid and satisfied, by such ways and means, and during such time as are herein after expressed, unto and for the use of the said governor and company, and their successors, without any account, imprest, or other charge to be set upon them for the same, or any part thereof, and without any abatement for taxes, or other cause or occasion whatsoever; and that the said sum of forty five thousand pounds *per annum*, or after that rate, shall commence and take effect from such time as shall be prefixed by the commissioners of her Majesty's treasury, or any three or more of them now being, or by the high treasurer, or any three or more of the commissioners of the treasury for the time being, in writing under his or their hands to be publickly affixed on the *Royal Exchange of London*, and to be also notified in the *London Gazette*, for the commencement of the said undertaking; and shall continue, and be paid, and payable from thenceforth, until such time as all the said quarterly

Bank to have
45,000l. per
annum.

To continue
till all the
quarterly Ex-
chequer bills
made for in-
Exche-

terest, and a
million of the
bills be paid
off, &c.

Exchequer bills, made or to be made for interest or allowance, as aforesaid, upon the said bills for two millions nine hundred thousand pounds, together with a million of the said bills, for two millions nine hundred thousand pounds, shall be paid off and cancelled, or until such time as there shall not be standing out and uncanceled more than one million nine hundred thousand pounds in the whole of the said bills for two millions nine hundred thousand pounds, and quarterly bills taken together, (which of the limitations aforesaid shall first happen) and that so much of the said yearly sum, after the rate of forty five thousand pounds *per annum*, as is to be reckoned by the day, for so many days as shall incur from the day of the commencement of the said undertaking exclusively, until the one and thirtieth day of *July*, one thousand seven hundred and eleven inclusively, shall be paid and satisfied unto the said governor and company, on the said one and thirtieth day of *July*, one thousand seven hundred and eleven; and that from and after the said one and thirtieth day of *July*, one thousand seven hundred and eleven, during the term of three years from thence next and immediately ensuing, the said yearly sum of forty five thousand pounds shall be paid and satisfied to the said governor and company, and their successors, by quarterly payments; that is to say, on the one and thirtieth day of *October*, the one and thirtieth day of *January*, the thirtieth day of *April*, and the one and thirtieth day of *July* yearly, by even and equal portions; and that all the payments so to be made of or for the said yearly sum of forty five thousand pounds, or after that rate, from the commencement of the said undertaking, until the said one and thirtieth day of *July*, one thousand seven hundred and eleven inclusively, and from thence until the end of the said term of three years, to wit, until the one and thirtieth day of *July*, one thousand seven hundred and fourteen inclusively, shall be and are, by force and virtue of this present act, charged and chargeable upon, and shall be discharged and satisfied out of all and every, or any the aids or supplies granted or to be granted to her Majesty in this session of parliament, for the carrying on the war, or other her Majesty's occasions, and are not or shall not be actually applied thereunto on or before the twelfth day of *March*, one thousand seven hundred and ten; and the commissioners of her Majesty's treasury now being, and the high treasurer, or commissioners of the treasury for the time being, are hereby directed, authorized, and required, (without any further or other warrant or authority to be sued for, had or obtained in that behalf) from time to time, as the said payments shall incur or grow due, at or before the said one and thirtieth day of *July*, one thousand seven hundred and fourteen, to discharge and satisfy the same out of the aids and supplies last-mentioned, and to cause so much of the said aids or supplies, in monies, tallies, or orders, as shall be sufficient for that purpose, to be reserved and set apart, and to be applied thereunto from time to time, as the said payments shall incur and become due.

How the same
shall be satisfied
till 31
July, 1714.

II. And it is hereby enacted by the authority aforesaid, That all the payments which shall grow due by or in pursuance of this act, of or for the said sum of forty five thousand pounds *per annum*, or after that rate, from and after the said one and thirtieth day of July, one thousand seven hundred and fourteen, during so long time as the same is to continue, as aforesaid, according to this act, shall from time to time be well and truly made and satisfied, as from time to time the same payments shall incur and grow due, unto the said governor and company, and their successors, out of the duties, revenues, or funds, or some of them, which were by the acts of parliament above recited, or mentioned, or any of them, settled, established, or appropriated, as well for paying the said interest after the rate of two pence *per centum per diem*, and the said allowance after the rate of three pounds *per centum per annum*, as for discharging and cancelling the said Exchequer bills in the manner and form herein after specified, that is to say, when and as soon as any payment shall, after the said one and thirtieth day of July, one thousand seven hundred and fourteen, become due by virtue of this act, of or for the said sum of forty five thousand pounds *per annum*, or after that rate, the commissioners of her Majesty's treasury, or the high treasurer for the time being, shall, from time to time, within ten days then next ensuing, cause an exact account to be taken of so much as shall be due to the said governor and company upon the said allowance, after the rate of three pounds *per centum per annum* for circulation, and an estimate to be made as near as they can, of so much as shall be then due or demandable, for the said interest at two pence *per centum per diem*; and after the payment of the same allowance and interest money, as the said former acts do direct, or reserving from time to time money sufficient to discharge the same, shall issue out of the said duties, revenues, and funds last-mentioned, unto the said governor and company, from time to time, the money, which upon the taking of every such account, shall be due to them of or for the said sum of forty five thousand pounds *per annum*, or after that rate, as aforesaid: it being the intent and true meaning of this act, that the same allowance for circulation, and the said interest monies, shall take place and be preferred, in point of payment out of the said funds, before the said sum of or after the rate of forty five thousand pounds *per annum*; and that the said forty five thousand pounds *per annum* shall, from time to time, take place and be preferred in point of payment, before the said yearly sum of two hundred thousand pounds *per annum*, which was intended and settled by the said former acts, or some of them, for cancelling and discharging the said Exchequer bills; the said former acts, or any of them, or any thing therein contained, or any other law or statute whatsoever, to the contrary notwithstanding.

III. Provided always, and it is hereby enacted by the authority aforesaid, That after paying, or reserving sufficient to pay so much as shall, from time to time, be incurred and grown

After 31 July 1714. to be satisfied out of the duties arising by the acts
7 Annæ, c. 7.
8 Annæ, c. 24.

After dis-
charging all
interest, allow-
ance, &c. the
yearly sum of
200,000l. to
be applied for
cancelling Ex-
chequer bills,
&c.

due for or upon the said interest after the rate of two pence *per centum per diem*, and the said several allowances after the rate of three pounds *per centum per annum*, and forty five thousand pounds *per annum*, as aforesaid, the said yearly sum of two hundred thousand pounds, intended by the said former acts for discharging and cancelling the principal money contained or to be contained in all the said Exchequer bills, or so much thereof as the said funds shall produce for that purpose, shall and may be applied, from time to time, for discharging and cancelling the said Exchequer bills, until they shall be entirely discharged and cancelled according to the said former acts, any thing herein contained to the contrary notwithstanding.

Recited acts
to continue in
force, &c.

IV. And be it further enacted by the authority aforesaid, That the said former acts above recited or mentioned, and all the powers, authorities, privileges, and advantages, rules, directions, pains of death, and other penalties and forfeitures, clauses of redemption, and other clauses, matters, and things therein contained, (being now in force) touching or concerning the said Exchequer bills, or any of the funds thereof, or any way relating thereunto, (such alterations as are therein made by this act only excepted) shall continue and be used, exercised, inflicted, raised, levied, and put in practice and execution to all intents and purposes, in the same manner and form as if this act had never been made; any thing herein contained to the contrary notwithstanding. And it is hereby declared, That the said yearly sum of forty five thousand pounds, or any part thereof, shall not be liable to any tax or assessment whatsoever.

7 Ann. c. 7.
8 Ann. c. 1.

Bank obliged to exchange for ready money, all the said Exchequer bills. In default may be sued. Bank may contract with others for furnishing monies. Such contracts not chargeable with the stamp duties. Further sealed bank bills may be issued to the amount of the contract, &c. Exchequer bills of 5000l. each may be issued, &c. Exchequer bills of 61. 5s. each may be issued, &c. Treasury to direct imprest money for discharging interest on Exchequer bills. Treasury may contract, or alter endorsements, &c. EXP.

None may be
governor, &c.
of the bank
and East India
company at
the same time.

XI. And be it enacted by the authority aforesaid, That in all future elections of governor, deputy governor, or directors, of the respective corporations of the bank of *England*, and of the united company of merchants of *England* trading to the *East Indies*, all and every person or persons, who shall be elected governor, deputy governor, or director of the bank of *England*, shall, during the year for which he or they shall be elected, be incapable of being chosen a director or directors for the management of the affairs of the said united company; and all and every person or persons, who shall be elected a director or directors of the said united company, shall, during the year for which he or they shall be so elected, be incapable of being chosen a governor, or deputy governor, or director or directors of the bank of *England*.

CAP. VIII.

An act to repeal the act of the third and fourth year of her Majesty's reign, intituled, *An act for prohibiting all trade and commerce with France*; so far as it relates to the prohibiting the importation of French wines.

After March 25, 1711. so much of the act 3 & 4 Anne, c. 13. as relates to the importation of French wines, is repealed. French wines may be imported in any ship of 70 tons, belonging to the subjects of any foreign princes in amity with the Queen, during the war, &c. To be imported directly from France to Ireland, and thence to Great Britain. The said ship to take on board English goods to the full value of the wines, (contraband goods excepted.) Proof to be made upon oath, that the goods were landed, &c. in France. E X P.

CAP. IX.

An act to continue the acts for punishing mutiny and desertion, and false musters, and for the better payment of the army and quarters; and for approving of medicines for the army. E X P.

CAP. X.

An act for establishing a general post office for all her Majesty's dominions, and for settling a weekly sum out of the revenues thereof, for the service of the war, and other her Majesty's occasions.

MOST gracious sovereign, whereas by an act made in the 12 Car. 2. c. 15; twelfth year of the reign of his late majesty King Charles the Second, a general post office was erected and established in that part of Great Britain called England, and by the twentieth act of the fifth session of the first parliament of his late majesty King William the Third, a general post office was erected and established in that part of Great Britain called Scotland, and several rates of postage were thereby severally appointed to be received, under several different powers and authorities; which two kingdoms being since united, it is most likely that a correspondence by posts will be best managed and ordered for the publick good, by uniting also the said two post offices under one postmaster general: and whereas also posts have at great charges been established by packet boats between that part of Great Britain called England and the West Indies, and also on the main land in North America, through most of her Majesty's plantations and colonies in those parts, as also to divers parts in Europe, to which no packet boats were till lately settled, and more posts may yet be settled and established for the publick good and welfare of all your Majesty's subjects: and whereas the several rates of postage may in many parts, with little burthen to the subject, be increased, and other new rates granted, which additional and new rates may, in some measure, enable your Majesty to carry on and finish the present war, so as suitable powers and authorities be made for collecting the same, and sufficient provision be made, as well for preventing the undue collecting the delivery of letters by private posts, carriers, biglers, watermen, drivers of stage coaches, and other persons, as all other frauds to which the revenue might otherwise be liable; which cannot be well and properly done, to answer the ends aforesaid, without the authority of parliament in a new act to be made for the said office, and for the revenues to arise thereby: we therefore your Majesty's

Former acts
in England
and Scotland
relating to the
office repealed.
22 Car. 2. c. 35.

most dutiful and loyal subjects, the commons of *Great Britain* in parliament assembled, do most humbly beseech your Majesty, that it may be enacted; and be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by authority of the same, That the said act made in *England* in the twelfth year of the reign of his said late majesty King *Charles* the Second, intituled, *An act for erecting and establishing a post office*, and the said act made in *Scotland* in the fifth session of the first parliament of his said late majesty King *William* the Third, intituled, *An act anent the post office*, and every article, clause, and thing therein or in either of them contained, shall be, and is and are hereby, from and after the first day of *June*, one thousand seven hundred and eleven, actually repealed, except as is herein after mentioned.

One general
post office to
be erected.

and one post-
master general.

II. And to the end a general post office may be established for and throughout her Majesty's kingdoms of *Great Britain* and *Ireland*, her colonies and plantations in *North America*, and the *West Indies*, and all other her Majesty's dominions and territories, in such manner as may be most beneficial to the people of those kingdoms, and her Majesty may be supplied, and the revenue arising by the said office better improved, settled, and secured to her Majesty, her heirs and successors, in such manner as is herein after mentioned; be it enacted by the authority aforesaid, That from and after the said first day of *June*, one thousand seven hundred and eleven, there be from thenceforth one general letter office and post office erected and established in some convenient place within the city of *London*, from whence all letters and packets whatsoever may be with speed and expedition sent into any part of the kingdoms of *Great Britain* and *Ireland*, or to *North America*, the *West Indies*, or to any other of her Majesty's dominions or territories, or unto any other kingdom or country beyond the seas, at which said office all returns and answers may be likewise received; and that one master of the said general letter office and post office shall be, from time to time, appointed by the Queen's majesty, her heirs and successors, to be made and constituted by letters patents under the great seal of *Great Britain*, by the name and stile of her Majesty's postmaster general; which said master of the said office, and his deputy and deputies by him thereunto sufficiently authorized, and his and their servants and agents, and no other person or persons whatsoever, shall, from time to time, and at all times, have the receiving, taking up, ordering, dispatching, sending post, or with speed, carrying and delivering of all letters and packets whatsoever, which shall, from time to time, and at all or any times, be sent to and from all and every the parts and places of *Great Britain* and *Ireland*, *North America*, the *West Indies*, and other her Majesty's dominions, and also to and from all and every the kingdoms and countries beyond the seas, where he shall settle or cause to be settled posts, or running messengers for that purpose: except such letters as shall

Exception.

shall respectively concern goods sent by common known carriers of goods by carts, waggons, or pack horses, and shall be respectively delivered with the goods such letters do concern, without hire or reward, or other profit or advantage for receiving or delivering such letters; and except letters of merchants, and masters, owners of any ships, barques, or vessels of merchandize, or any the cargo or loading therein sent on board such ships, barques, or vessels of merchandize, whereof such merchants or masters are owners, as aforesaid, and delivered by any masters of any such ships, barques, or vessels of merchandize, or by any other person employed by them for the carriage of such letters aforesaid, according to their respective directions, so as such letters be delivered to the respective persons to whom they shall be directed without paying or receiving any hire or reward, advantage, or profit for the same in any wise; and also except commissions, or the return thereof, affidavits, writs, process, or proceedings or returns thereof, issuing out of any court; and also any letter or letters to be sent by any private friend or friends, in their way of journey or travel, or by any messenger or messengers sent on purpose for or concerning the private affair of any person or persons.

III. Provided always nevertheless, That nothing in the said exception contained shall extend or be construed to extend to give any licence or authority to any common known carriers of goods by carts, waggons, or pack horses, their servants or agents, to receive, collect, or deliver, with or without hire, any letter or letters, packet or packets of letters whatsoever, that do not concern goods in their carts, waggons, or on their pack horses, nor to any owners or drivers of stage coaches, nor to any owners, masters, or commanders of boats called passage boats, sailing between any part of *Great Britain* or *Ireland*, and any parts or places beyond the seas, or their servants or agents, nor to any passenger or passengers on board such boats or vessels, nor to the owners or watermen on board of any boat, barge, or vessel passing or repassing on any river or rivers, to and from any parts of *Great Britain* and *Ireland*, *North America*, or the *West Indies*, or other her Majesty's dominions and territories, although such drivers of stage coaches, owners, masters, or commanders of boats called passage boats, or passengers therein, owners or watermen on board of any such boat, barge, or vessel passing or repassing on any such river or rivers, as aforesaid, do not receive any hire or reward, or other advantage for the same; but that all such carriers, owners, and drivers of stage coaches, owners, masters, or commanders of passage boats, and the passengers therein, and all owners and watermen on board of any boat, barge, or vessel passing or repassing on any river or rivers, to or from any the parts and places aforesaid, collecting and delivering letters, as aforesaid, though without hire or reward, shall be deemed and taken, and are hereby declared to be persons offending against this act, and shall forfeit and pay such sum and sums of money, as persons collecting, receiving,

Carriers,
coachmen,
&c. not to
carry letters.

Explained as
to penny post
letters by
4 Geo. 2. c. 33.

A chief let-
ter office to
be erected at
Edinburgh, at
Dublin, and at
New York,
&c.

The postma-
ster general,
and no other,
to provide
horses for
riding post.

22 G. 2. c. 25.

Rates for car-
rying letters
in England.

By 6 Geo. 1.
c. 21. s. 51.

Bills of ex-
change, and
several letters
on one paper,
are to be
charged as di-
stinct letters.

ceiving, taking up, conveying and delivering of letters for hire, or setting up, employing and maintaining any post contrary to this act, or that are or shall be concerned therein, are herein after enacted to forfeit and pay.

IV. And to the end there may be one chief letter office also in *North Britain* and *Ireland*, and at *New York* in *North America*, and in the *West Indies*, from whence the distances for which the rates hereby granted may be computed and settled; be it enacted by the authority aforesaid, That such postmaster general so to be constituted, as aforesaid, shall be at liberty to keep one chief letter office in the city of *Edinburgh*, and one other chief letter office in the city of *Dublin*, and one chief letter office in *New York* aforesaid, and other chief offices at some convenient place or places in each of her Majesty's provinces or colonies in *America*, and in each of the islands in the *West Indies*, called the *Leward Islands*, and appoint sufficient deputies under him, for the better managing, ordering, collecting, and improving the revenue hereby granted.

V. And be it further enacted by the authority aforesaid, That such postmaster general for the time being, as shall from time to time be made and constituted by her Majesty, her heirs and successors, and the respective deputies or substitutes of such postmaster general, and no other person or persons whatsoever, shall prepare and provide horses and furniture, to let to hire unto all or any person or persons riding in post, by commission or without, to or from all and every the parts and places of *Great Britain* and *Ireland*, where any post-roads are or shall be settled and established.

VI. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for such postmaster general to be constituted and appointed, as aforesaid, and his deputy and deputies by him thereunto sufficiently authorized, to and for the use of her Majesty, her heirs and successors, to demand, have, receive and take, for the portage, and conveyance of all such letters and packets which he shall so convey, carry, or send post, as aforesaid, and for the providing and furnishing horses for persons riding in post, as aforesaid, according to the several rates and sums of lawful *British* money hereafter mentioned, not to exceed the same: (that is to say) for the port of every single letter, or piece of paper, to or from any place not exceeding eighty *English* miles distant from the said general post-office in *London*, and within that part of *Great Britain* called *England*, and not coming from or directed on ship-board, three pence; and for the like port of every double letter, six pence; and so proportionably unto the said rates for the port of every packet of letters; and for the like port of every packet of writs, deeds, and other things, after the rate of twelve pence of *British* money for every ounce weight; and for the port of every single letter, or piece of paper, to or from any place above eighty such *English* miles distant from the said general post-office, and

and within that part of the kingdom of *Great Britain* called *England*, or to the town of *Berwick upon Tweed*, and not coming from or directed on ship-board, four pence; and for the like port of every double letter eight pence; and so proportionably unto the said rates for the port of every packet of letters; and for the like port of every packet of writs, deeds, and other things, after the rate of one shilling and four pence *British* money for every ounce weight: and for the port of every single letter, or piece of paper, from the said general post-office in *London* unto the city of *Edinburgh*, in that part of *Great Britain* called *Scotland*, or from thence to the said general post-office in the city of *London*, and to and from *Dumfries*, or *Cockburnspath*, Rates for Scotland. and between either of those places and the said city of *Edinburgh*, not coming from, or directed on board any ship, six pence; and for the like port of every double letter, twelve pence; and so proportionably unto the said rates, for the port of every packet of letters; and for the like port of every packet of writs, deeds, and other things, after the rate of two shillings *British* money for every ounce weight; and for the port of every single letter, or piece of paper, to or from the chief post-office in the said city of *Edinburgh*, to or from any place not exceeding fifty such *English* miles distant from the said chief post-office in *Edinburgh*, and within that part of the kingdom of *Great Britain* called *Scotland*, and not coming from, or directed on board of any ship or vessel, two pence *British* money; and for the like port of every double letter, four pence of like money; and so proportionably to the said rates for the port of every packet of letters; and for the like port of every packet of writs, deeds, and other things, after the rate of eight pence *British* money for every ounce weight; and for the port of every single letter or piece of paper, to or from any place above fifty such miles distant from the said chief office in *Edinburgh*, and not exceeding eighty such miles, and within that part of *Great Britain* called *Scotland*, and not coming from, or directed on ship-board, three pence; and for the like port of every double letter, six pence; and so proportionably to the said rates for the port of every packet of letters; and for the like port of every packet of writs, deeds, and other things, after the rate of twelve pence *British* money for every ounce weight; and for the port of every single letter, or piece of paper, to or from any place above eighty *English* miles distant from the said chief office in *Edinburgh*, and within that part of *Great Britain* called *Scotland*, and not coming from or directed on ship-board, four pence *British* money; and for the like port of every double letter, eight pence; and so proportionably to the said rates for the port of every packet of letters; and for the like port of every packet of writs, deeds, and other things, after the rate of one shilling and four pence *British* money for every ounce weight: and for the port of every single letter, or piece of paper, from the said general letter Rates for Ireland. office in *London*, unto the city of *Dublin* in *Ireland*, or from the land.

•said city of *Dublin* in *Ireland*, unto the said general post-office, and not coming from, or directed on board of any ship, six pence of *British* money; and for the like port of every double letter, twelve pence *British* money; and so proportionably unto the said rates for the port of every packet of letters; and for the like port of every other packet of writs, deeds, and other things of greater bulk, two shillings of *British* money for every ounce weight; and for the port of such letters or packets as shall be conveyed or carried from the chief post-office in the said city of *Dublin*, unto any other place or places within the kingdom of *Ireland*, or from any other place within the said kingdom, not coming from, or directed on ship-board, according to the rates and sums of *British* money hereafter following, (*viz.*) for the port of every single letter from the chief post-office in the said city of *Dublin*, to or from any place not exceeding forty *English* miles distant from the said chief office in *Dublin*, and within the said kingdom of *Ireland*, not coming from, or directed on ship-board, two pence; and for the like port of every double letter, four pence; and so proportionably unto the said rates for the port of every packet of letters; and for the like port of every other packet of writs, deeds, or other things, after the rate of eight pence for every ounce weight; and for the port of every single letter or piece of paper, to or from any place above forty *English* miles distant from the said chief office in *Dublin*, and within the said kingdom of *Ireland*, and not coming from, or directed on board of any ship or vessel, four pence; and for the like port of every double letter, eight pence; and so proportionably unto the said rates for the port of every packet of letters; and for the like port of every packet of writs, deeds, and other things, after the rate of one shilling and four pence for every ounce weight: and for the port of all and every the letters and packets of letters directed on board, or fetched or brought from on board any ship or vessel, riding or stopping in any port within her Majesty's dominions, the sum of one penny, over and above the rates granted in and by this act: and for the port of all and every the letters and packets, passing or re-passing by the carriage called the penny-post, established and settled within the cities of *London* and *Westminster*, and borough of *Southwark*, and parts adjacent, and to be received and delivered within ten *English* miles distant from the said general letter-office in *London*, one penny: and for the port of all and every the letters, packets, and parcels of goods that shall be carried or conveyed to or from any of her Majesty's said dominions, to or from any other parts or places beyond the seas, according to the several and respective rates following, the same being rated either by the letter or by the ounce; that is to say,

Rates for letters on board any ship.

Penny-post,

Rates for foreign letters.

All letters and packets coming from any part of *France* to *London*, - - -

Single, ten pence.
Double, one shilling eight pence.
Treble, two shillings six pence.
Ounce, three shillings four pence.

All letters and packets passing from *London*, through *France*, to any part of *Spain* or *Portugal* (port paid to *Bayone*) and from *Spain* and *Portugal*, through *France*, unto *London*,

Single, one shilling six pence.
Double, three shillings.
Treble, four shillings six pence.
Ounce, six shillings.

All letters and packets passing from *London*, through *France*, to any part of *Italy*, or *Sicily*, by the way of *Lyons*, or to any part of *Turkey*, by the way of *Mercelia*, and from any of those parts, through *France*, unto *London*.

Single, one shilling three pence.
Double, two shillings six pence.
Treble, three shillings nine pence.
Ounce, five shillings.

All letters and packets coming from any part of the *Spanish Netherlands* unto *London*, - - -

Single, ten pence.
Double, one shilling eight pence.
Treble, two shillings six pence.
Ounce, three shillings four pence.

All letters and packets passing from *London* through the *Spanish Netherlands* to any part of *Italy* or *Sicily* (port paid to *Antwerp*) and from any part of *Italy* or *Sicily*, through the *Spanish Netherlands* unto *London*, - - -

Single, one shilling.
Double, two shillings.
Treble, three shillings.
Ounce, four shillings.

All letters and packets passing from *London* through the *Spanish Netherlands* to any part of *Germany*, *Switzerland*, *Denmark*, *Sweden*, and all parts of the north, and from any of those parts through the *Spanish Netherlands* unto *London*, - - -

Single, one shilling.
Double, two shillings.
Treble, three shillings.
Ounce, four shillings.

All letters and packets passing from <i>London</i> through the <i>Spanish Netherlands</i> to any part of <i>Spain</i> or <i>Portugal</i> , and from any part of <i>Spain</i> or <i>Portugal</i> , through the <i>Spanish Netherlands</i> unto <i>London</i> , - - - - -	Single, one shilling fix pence. Double, three shillings. Treble, four shillings fix pence. Ounce, six shillings.
All letters and packets passing from any part of the <i>United Provinces</i> unto <i>London</i> , - - - - -	Single, ten pence. Double, one shilling eight pence. Treble, two shillings fix pence. Ounce, three shillings four pence.
All letters and packets passing from <i>London</i> through the <i>United Provinces</i> for any part of <i>Italy</i> or <i>Sicily</i> , and from any part of <i>Italy</i> or <i>Sicily</i> , through the <i>United Provinces</i> , unto <i>London</i> , - - - - -	Single, one shilling. Double, two shillings. Treble, three shillings. Ounce, four shillings.
All letters and packets passing from <i>London</i> through the <i>United Provinces</i> to any part of <i>Germany</i> , <i>Switzerland</i> , <i>Denmark</i> , <i>Sweden</i> , and all parts of the north, and from any of those parts and places, through the <i>United Provinces</i> unto <i>London</i> , - - - - -	Single, one shilling. Double, two shillings. Treble, three shillings. Ounce, four shillings.
All letters and packets passing from <i>London</i> through the <i>United Provinces</i> unto any part of <i>Spain</i> or <i>Portugal</i> , and from any part of <i>Spain</i> or <i>Portugal</i> , through the <i>United Provinces</i> unto <i>London</i> , - - - - -	Single, one shilling fix pence. Double, three shillings. Treble, four shillings fix pence. Ounce, six shillings.
All letters and packets passing from <i>London</i> through the <i>Spanish Netherlands</i> , or the <i>United Provinces</i> , to <i>Hamburgh</i> (port paid to <i>Antwerp</i> or <i>Amsterdam</i>), and from <i>Hamburgh</i> , through the <i>Spanish Netherlands</i> or the <i>United Provinces</i> unto <i>London</i> , - - - - -	Single, ten pence. Double, one shilling eight pence. Treble, two shillings fix pence. Ounce, three shillings four pence.

All letters and packets passing between <i>London, Spain, or Portugal</i> , by packet boats, - - - - -	Single, one shilling six pence. Double, three shil- lings. Treble, four shillings six pence. Ounce, six shillings.
All letters and packets passing from <i>Lon- don unto Jamaica, Barbadoes, Antigua, Montserrat, Nevis, and Saint Christo- phers in America</i> , and from any of those places to <i>London</i> , - - -	Single, one shilling six pence. Double, three shil- lings. Treble, four shillings six pence. Ounce, six shillings.
All letters and packets from <i>London</i> to <i>New York in North America</i> , and thence to <i>London</i> , - - - - -	Single, one shilling. Double, two shillings. Treble, three shil- lings. Ounce, four shillings.
All letters and packets from any part of the <i>West Indies</i> , to <i>New York</i> , a- foresaid, - - - - -	Single, four pence. Double, eight pence. Treble, one shilling. Ounce, one shilling and four pence.
All letters and packets from <i>New York</i> , to any place within sixty <i>English</i> miles thereof, and thence back to <i>New York</i> ,	Single, four pence. Double, eight pence. Treble, one shilling. Ounce, one shilling and four pence.
All letters and packets from <i>New York</i> to <i>Perth Amboy</i> , the chief town in <i>East New Jersey</i> , and to <i>Bridlington</i> , the chief town in <i>West New Jersey</i> , and from each of those places back to <i>New York</i> , and from <i>New York</i> , to any place not exceeding one hundred <i>Eng- lish</i> miles, and from each of those places to <i>New York</i> , - - -	Single, six pence. Double, one shilling. Treble, one shilling and six pence. Ounce, two shillings.
All letters and packets from <i>Perth Am- boy</i> and <i>Bridlington</i> to any place not exceeding sixty <i>English</i> miles, and thence back again, - - -	Single, four pence. Double, eight pence. Treble, one shilling. Ounce, one shilling and four pence.

All letters and packets from *Perth Amboy* and *Bridlington*, to any place not exceeding one hundred *English* miles, and thence back again

Single,
Double,
Treble,
fix pence.
Ounce, two shillings.

All letters and packets from *New York* to *New London*, the chief town in *Connecticut* in *New England*, and to *Philadelphia* the chief town in *Pensilvania*, and from those places back to *New York*, - - - - -

Single, nine pence.
Double, one shilling
fix pence.
Treble, two shillings
three pence.
Ounce, three shillings.

All letters and packets from *New London* and *Philadelphia*, to any place not exceeding sixty *English* miles, and thence back again, - - - - -

Single, four pence.
Double, eight pence.
Treble, one shilling.
Ounce, one shilling
four pence.

All letters and packets from *New London* and *Philadelphia*, to any place, not exceeding one hundred *English* miles, and so back again, - - - - -

Single, fix pence.
Double, one shilling.
Treble, one shilling
fix pence.
Ounce, two shillings.

All letters and packets from *New York* aforefaid to *New Port* the chief town in *Rhode Island*, and *Providence Plantation* in *New England*, and to *Boston* the chief town in *Massachusetts* bay in *New England* aforefaid, and to *Portsmouth* the chief town in *New Hampshire* in *New England* aforefaid, and to *Annapolis* the chief town in *Maryland*, and from every of those places to *New York*, - - - - -

Single, one shilling.
Double, two shillings.
Treble, three shillings.
Ounce, four shillings.

All letters and packets from *Newport*, *Boston*, *Portsmouth*, and *Annapolis* aforefaid, to any place not exceeding sixty *English* miles, and thence back again, - - - - -

Single, four pence.
Double, eight pence.
Treble, one shilling.
Ounce, one shilling
four pence.

All letters and packets from *Newport*, *Boston*, *Portsmouth*, and *Annapolis* aforefaid, to any place not exceeding one hundred *English* miles, and thence back again, - - - - -

Single, fix pence.
Double, one shilling.
Treble, one shilling
fix pence.
Ounce, two shillings.

All letters and packet from *New York* } Single, one shilling
 afore said, to the chief offices in *Salem* } three pence.
 and *Ipswich*, and to the chief office in } Double, two shillings
Piscataway, and to *Williamsburgh* the } six pence.
 chief office in *Virginia*, and from eve- } Treble, three shillings
 ry of those places to *New York*, - } nine pence.
 Ounce, five shillings.

All letters and packets from the chief } Single, four pence.
 offices in *Salem*, *Ipswich*, *Piscataway*, } Double, eight pence.
 and *Williamsburgh* afore said, to any } Treble, one shilling.
 place not exceeding sixty *English* miles, } Ounce, one shilling
 and thence back again, - - } four pence.

All letters and packets from the chief } Single, six pence.
 offices in *Salem*, *Ipswich*, *Piscataway*, } Double, one shilling.
 and *Williamsburgh*, afore said, to any } Treble, one shilling
 place not exceeding one hundred *Eng-* } six pence.
lish miles, and thence back again, } Ounce, two shillings.

All letters and packets from *New York* } Single, one shilling
 afore said, to *Charles Town*, the chief } six pence.
 town in *North* and *South Carolina*, and } Double, three shil-
 from *Charles Town* afore said, to *New* } lings.
York, } Treble, four shillings
 six pence.
 Ounce, six shillings.

All letters and packets from *Charles Town* } Single, four pence.
 afore said, to any place not exceeding } Double, eight pence.
 sixty *English* miles, and thence back } Treble, one shilling.
 again, } Ounce, one shilling;
 four pence.

All letters and packets from *Charles Town* } Single, six pence.
 afore said, to any place not exceeding } Double, one shilling.
 one hundred *English* miles, and thence } Treble, one shilling
 back again, } six pence.
 Ounce, two shillings.

VII. And be it enacted by the authority afore said, That such Places where posts are not yet settled, to pay according to these rates.
 postmaster general so to be appointed, as afore said, shall and
 may receive and take, according to the same rates and propor-
 tions for the port of letters, packets, and parcels, to or from
 any of the parts or places beyond the seas, where posts have
 not been heretofore settled, and may hereafter be settled by such
 postmaster general for the time being.

VIII. And be it further enacted, That all letters and packets Foreign let- ters collected, &c. between London and the port
 directed to, or coming from any of the foreign parts or places
 afore said, and collected or delivered at any part or place be-
 tween *London* and any of the ports from whence any of her
 Majesty's

whence the packet boat fails, to pay as to or from London.

Packet boats to go from Donachadee to Port Patrick.

Majesty's packet boats shall at any time hereafter fail, or at which they shall or may arrive with the foreign mails, do pay the same rates as if the same were conveyed in the said mails to or from London.

IX. And be it further enacted by the authority aforesaid, That such postmaster general shall be at liberty to keep and maintain packet boats to go weekly (wind and weather permitting) to and from Donachadee, or some other convenient port in that part of Great Britain called Scotland, for conveyance of letters and packets for the conveniency of trade and commerce between the said kingdoms, paying over and above the inland rates hereby rated and appointed to be received for such letters and packets, at the place where such letter or letters are delivered in to be sent by such packet boats, according to the rates following; that is to say, For every such single letter two pence, double four pence, treble six pence, ounce eight pence.

Postmaster to erect cross stages, &c.

X. And forasmuch as it may be convenient to erect some cross stages for the better maintaining of trade and commerce, and mutual correspondencies, and to settle the rates for all by or way letters and packets conveyed by post in any of the said kingdoms; be it therefore enacted by the authority aforesaid, That from and after the said first day of June, one thousand seven hundred and eleven, it shall and may be lawful to and for the postmaster general for the time being, so constituted, as aforesaid, to erect and set up cross stages to and from any place or places whatsoever; and thereupon such postmaster general, and his deputy and deputies by him thereunto sufficiently authorized, shall and may lawfully demand, have, receive, and take for the postage and conveyance, as well of all such letters and packets which he or they shall so convey, carry, or send post, as aforesaid, in any such cross stages, as for all by or way letters and packets, the same rates in proportion to the distances of the places to which they shall be directed from the places at which they shall be put in, as letters and packets conveyed and re-conveyed to and from London, are rated to pay.

A survey to be taken of the distances of the roads.

XI. And for the better reducing all miles in both the said kingdoms throughout all the post roads within one hundred miles distance from the said chief offices, and in the cross roads now settled, or hereafter to be settled, to one and the same measure and standard; and for preventing disputes touching the same; be it further enacted by the authority aforesaid, That it shall and may be lawful to and for such person and persons as the postmaster general for the time being shall appoint, to measure, or cause to be measured, by the wheel, all roads, except such roads where stages are already settled; and that such person or persons so to be authorized, shall cause fair surveys or books to be made for each of the said kingdoms; one of each whereof to be left with her Majesty's postmaster general in London; another of each to be left at the chief post office in Edinburgh, with the postmaster general's deputy there; another of each

each to be left at the chief post office in *Dublin*, with the postmaster general's deputy there, to remain in the said post offices; and each of which said books shall be signed by such person or persons making the same, and by the postmaster general for the time being, and his deputies in such general offices in each kingdom, and the comptrollers and surveyors belonging or to belong to the said general post offices in *London*, *Edinburgh*, and *Dublin*: which books or surveys shall ascertain and determine the distances on all the said roads.

XII. Provided always, That such person or persons who shall be authorized to measure the said distances, and every one of them, shall be sworn to perform the same, according to the best of their skill and judgment; which oath shall and may be administered by any of her Majesty's justices of the peace in the said kingdoms respectively, who shall make a certificate thereof in writing, to be entered in the three general post offices aforesaid, without fee or charge.

XIII. Provided always, That all merchants accounts not exceeding one sheet of paper, and all bills of exchange, invoices, and bills of lading, are, and shall hereby be understood to be allowed without rate in the price of the letters; and likewise the covers of letters, not exceeding one fourth part of a sheet of paper, sent by the way of *Vienna*, *Marseilles*, *Venice*, or *Leghorn*, to be sent to or from *Turkey*, shall be understood to be allowed to pass without rate or payment for the same.

Proviso for merchants. By 6 Geo. 1. c. 21. s. 52. This proviso is restrained to merchants accounts, &c. sent beyond sea, &c.

XIV. And in regard the said postmaster general and his deputies are obliged, as well for performing the duties of the several stages of Great Britain and Ireland, as for furnishing such as ride post with horses and furniture, to be at great charge to maintain a convenient number of servants, horses, and furniture; be it enacted by the authority aforesaid, That it shall and may be lawful to and for such postmaster general and his deputy and deputies, to ask, demand, take and receive of every person, that he or they shall furnish and provide with horses and furniture, or with horses, furniture, and guide, to ride post in any of the post roads, as aforesaid, three pence of *British* money for each and every horse-hire or postage for every *English* mile, and four pence of like money for the person riding as guide for every stage; and the deputy or deputies of such postmaster general shall not charge any person riding post, for the carrying of any bundle or parcel of goods, carried along with them, in their way of travel, so as any such bundle or parcel of goods do not exceed the weight of eighty pounds *avordupois*, to be laid on the horse rid by the guide, and no deputy shall be obliged to carry above that weight for any person riding post.

Rates for riding post.

XV. And whereas, upon the arrival of ships from parts beyond the seas, into several ports within her Majesty's dominions, many letters directed to several merchants and others, have been either inbezzled or long detained, to the great damage of the merchants and others, to whom the same were directed, in want of that speedy advice and intelligence, which they might had, if the same had been forth-

with

with dispatched by the settled posts, and sometimes such letters have been delivered by the masters or passengers of such ships, to ignorant and loose hands that understand not the ways and means of speedy conveyance and delivery of letters, whereby great prejudice hath accrued to the affairs of merchants and others, as well by the miscarriage of many letters so brought, as oftentimes by the opening of the same, to the discovery of the correspondency and secrets of the merchants; be it therefore further enacted by the authority aforesaid, That all letters and packets, that by any master of any ship or vessel, or any of his company, or any passengers therein, shall or may be brought to any port town, or which shall

At port towns
deputy post-
master to re-
ceive all letters
from on board
ships, &c.

arrive or touch at any port belonging to any port town, within any her Majesty's dominions, or any the members thereof, or which shall be on board any ship or vessel, that shall or do touch or stay at any such port town (other than such letters as are before excepted, or may be sent by common known carriers in manner aforesaid, or by a friend, as aforesaid) shall, by such master, passenger, or other person or persons, be forthwith delivered unto the deputy or deputies only of such postmaster general for the time being, by him appointed, for such place or port town, and to be by such deputy or deputies sent post unto the said general post office, to be delivered according to the several and respective directions of the same, upon pain of forfeiting the sum of five pounds of *British* money, for every several offence against the tenor of this present act.

And to give
the bringer a
penny a let-
ter, &c.

XVI. And for the encouragement of all such masters of ships or vessels, or such other persons, on their arrival at such ports, as aforesaid, from any parts beyond the seas, to deliver unto the deputy or deputies of such postmaster general for such place or port town at which they shall so touch or arrive, all such letters and packets as they shall respectively have on board such vessel or vessels, every such master or other persons, for every letter or packet of letters he or they shall so deliver unto such deputy or deputies, shall receive the sum of one penny, of such deputy or deputies, he or they signing a certificate of the number of letters delivered, and by what vessel they came, and of the time when he or they delivered the same to such deputy or deputies, and giving a receipt for such number of pence as he or they shall receive of such deputy or deputies; which certificate and receipt shall be by such deputy by the next post returned to the said postmaster general, together with the letters so delivered, who shall have credit on his account for so much money as any such deputy shall pay on that account.

None to carry
letters, &c.
but the post-
master gene-
ral, or his de-
puties,

XVII. And be it further enacted by the authority aforesaid, That no person or persons whatsoever, or body politick or corporate, in any part of these kingdoms of *Great Britain* and *Ireland*, or other her Majesty's plantations and colonies in the *West Indies* and *America*, other than such postmaster general as shall, from time to time, be nominated and appointed by her Majesty, her heirs and successors, and constituted by letters patents under the great seal of *Great Britain*, as aforesaid, and his deputy and deputies, or assigns, shall presume to receive, take

up, order, dispatch, convey, carry, recarry, or deliver any letter or letters, packet or packets of letters (other than as before excepted) or make any collection of letters, or set up or employ any foot post, horse post, or packet boat, or other vessel or boat, or other person or persons, conveyance or conveyances whatsoever, for the receiving, taking up, ordering, dispatching, conveying, carrying, recarrying, or delivering any letter or letters, packet or packets of letters, by sea or by land, or on any river, within her Majesty's dominions, or by means whereof any letter or letters, packet or packets of letters, shall be collected, received, taken up, ordered, dispatched, conveyed, carried, recarried, or delivered, by sea or land, or on any river, within her Majesty's dominions (other than as before excepted) or shall presume to keep, provide, and maintain horses, or furniture for the horsing of any person or persons riding post, that is to say, riding several stages upon a post road, and changing horses, or shall lett to hire, or furnish any person or persons whatsoever with horses or furniture for riding post, as aforesaid, on any of the post roads or stages now or hereafter to be appointed, with or without a guide or horn, for hire or reward, or on any agreement or promise of reward, or whereby he or they may have any profit or advantage; on pain of forfeiting the sum of five pounds of *British* money for every several offence against the tenor of this present act, and also of the sum of one hundred pounds of like *British* money for every week that any offender against this act shall collect, receive, take up, order, dispatch, convey, carry, recarry, or deliver any letter or letters, packet or packets of letters, by sea or land, or on any river, within her Majesty's dominions (other than as before excepted) or that shall presume to set up, continue, or employ any foot post, horse post, or packet boat, or other vessel or boat, or any other person or persons, conveyance or conveyances whatsoever, for the receiving, taking up, ordering, dispatching, conveying, carrying, recarrying, or delivering of any letter or letters, packet or packets of letters, by sea or land, or on any river, within her Majesty's dominions, as aforesaid.

or provide
horses for
riding post.

22 Geo. 2. c. 25.

Penalty.

XVIII. *And whereas divers deputy postmasters do collect great quantities of post letters called by or way letters, and by clandestine and private agreements amongst themselves, do convey the same post in their respective mails, or by bags, according to their several directions, without accounting for the same, or endorsing the same on their bills, to the great detriment of her Majesty's revenues:* for preventing whereof for the time to come; be it enacted by the authority aforesaid, That if at any time hereafter, any person or persons employed as a deputy postmaster, or otherwise, in these kingdoms of Great Britain and Ireland, or in any of her Majesty's dominions and territories in the *West Indies*, or in *North America*, shall not duly answer and account to her Majesty, her heirs and successors, for all such by or way letters as such deputy or deputies, or any by his, her, or their order shall receive the

Deputy post-
master to ac-
count for by
or way letters.

port for, or that shall not on his or her post bills, exactly mention all the by or way letters he, she, or they shall or do receive, or which shall come to his, her, or their hand or hands, custody or power, distinguishing them severally, whether single, double, treble, or ounce weight, or that shall destroy or embezzle any such by letter or by letters, packet or packets of letters; every such person so offending shall forfeit and pay for every such offence, such penalties and forfeitures, as the persons herein before prohibited, setting up or employing other posts, or collecting, carrying, recarrying, ordering, dispatching, or delivering letters and packets contrary hereunto, are enacted to forfeit and pay.

Penalties how
to be recovered.

XIX. And it is hereby enacted, That all and singular the said several penalties and forfeitures by this act imposed on any offender or offenders against the same, or any part thereof, shall and may be sued for and recovered by action or actions of debt, bill, plaint, or information, in any of her Majesty's courts of record, wherein no essoin, privilege, protection, or wager of law shall be admitted; and the said several and respective penalties and forfeitures, that shall happen from time to time to be recovered, shall be and remain, the one moiety thereof to her Majesty, her heirs and successors, and the other moiety thereof to such person or persons who shall or will inform against the offender or offenders against this present act, and shall and will sue for the said penalties and forfeitures upon the same; and on every such recovery, such person or persons so informing, and prosecuting for the said penalties and forfeitures, shall recover, and have also taxed and paid, their full costs of suit.

Proviso, when
postmaster
doth not furnish
horses in
one half hour.

XX. Provided always, That if any postmaster of any respective stages on any post-roads, in any her Majesty's dominions, now settled, or hereafter to be settled, doth not or cannot furnish any person or persons riding in post, with sufficient horses within the space of one half hour after demand, that then such person or persons is and are hereby understood to be left at liberty to provide themselves as conveniently as they can to the next stage, and so at every stage where he or they shall not be furnished, as aforesaid; and the person or persons who shall furnish such horses, shall not therefore be liable to any penalties or forfeitures contained in this act, by reason thereof.

Penalty on
postmaster not
providing.

XXI. Provided always, That if through default or neglect of the postmaster general, or his deputy for the time being, any person or persons riding in post, shall fail, as aforesaid, of being furnished with a sufficient horse or horses, for his or their use after demand, as aforesaid, that then and in every such case the postmaster general or his deputy, so offending, shall forfeit the sum of five pounds sterling; the one moiety to her Majesty, her heirs and successors, and the other moiety to him or them who shall sue for the same in any court of record, to be recovered and divided, as aforesaid.

XXII. Pro-

XXII. Provided always, and be it further enacted, That no- Letters may be thing herein contained shall be understood to prohibit the carrying or re-carrying of any letters or packets, to or from any town or place, to or from the next respective post-road or stage appointed for that purpose, above six miles from the said general post-office, or the chief offices of *Edinburgh* and *Dublin*, but that every person shall have free liberty to send and employ such person or persons as they shall think fit for to carry the said letters or packets, as aforesaid, without any forfeiture or penalty therefore; any thing herein contained to the contrary notwithstanding.

XXIII. Provided always nevertheless, That nothing herein contained shall be construed to extend to give licence to any person or persons whatsoever, to make collection of letters in or near the city of *London*, or suburbs thereof, under pretence of conveying the same to any parts or places in the said city or suburbs, or to the general office of the said city, without the licence and leave of the postmaster general for the time being: and any person or persons acting contrary hereunto shall forfeit and pay as persons collecting, receiving, carrying, re-carrying, and delivering letters contrary to this act, are hereby enacted to forfeit and pay, to be recovered, as aforesaid, and with full costs of suit.

XXIV. Provided always, That if the packet or mail shall be carried out of *Great Britain* into any part or place beyond the seas, in any ship or vessel which is not a free ship, and navigated with such seamen as, by the laws of this land, the same are required to be, that then, and in every such case, the postmaster general for the time being shall forfeit the sum of one hundred pounds sterling, the one moiety to her Majesty, her heirs and successors, and the other moiety to him or them who shall sue for the same in any court of record, to be recovered by bill, plaint, or other information, wherein no essoin, protection, or wager at law shall be allowed.

XXV. Provided always, and be it enacted by the authority aforesaid, That such Postmaster general, and all officers and deputies acting under him, and all officers belonging to the said general post-office, within that part of the said united kingdom called *England*, receiving the sacrament according to the usage of the church of *England*, and taking, making, and subscribing the test, and the oaths of allegiance and supremacy, and abjuration, appointed by any of the laws of the said part of the said united kingdom, to be taken, made, and subscribed by officers in publick places of trust in the government, and within such times, and in such places as are particularly appointed by any of those laws for doing the same, shall be deemed and taken to be sufficiently qualified to act in their respective stations and duties, and to execute their respective employments throughout the said whole united kingdom, and all other her Majesty's dominions, and shall not incur any penalties, forfeitures, or disabilities, for not taking the oaths of allegiance

None may collect letters in *London*, &c. without licence, &c.

The packet not to be carried out of *Great Britain* in foreign ships.

Postmaster, &c. how to qualify himself.

and abjuration, and subscribing the assurance appointed by any the laws of that part of the said united kingdom called *Scotland*, or by any law or laws of the said united kingdom of *Great Britain*, to be taken and made by any person in publick trust, notwithstanding such postmaster general, and such deputies and officers, shall exercise their respective offices and employments within all and every the parts and places of that part of the said united kingdom called *Scotland*: and all deputies and agents acting under such postmaster general within that part of the said united kingdom called *Scotland*, taking and making the oaths of allegiance and abjuration, and subscribing the same, with the assurance appointed by any of the laws of the said part of the said united kingdom called *Scotland*, or by any law or laws of the said united kingdom of *Great Britain*, to be taken and made by any person in publick trust, and within such times, and at such places, as are particularly appointed by any of those laws for doing the same, shall be deemed and taken to be sufficiently qualified to execute and exercise their respective employments in the said office throughout the said whole united kingdom, and all other her Majesty's dominions; any act or acts of parliament in either of the said united kingdoms at any time heretofore made to the contrary thereof in any wise notwithstanding.

Proviso for
Truro, Pen-
rin, Kendall,
Penrith, &c.

XXVI. Provided also, and be it enacted by the authority aforesaid, That a letter or packet post shall twice every week come by the way of *Truro* and *Penrin* to the town of *Penzance*, in the county of *Cornwall*; and once a week to *Kendall*, by the way of *Lancaster*; and to the town of *Penrith* in *Cumberland*, by the way of *Newcastle* and *Carlisle*; and to the city of *Lincoln* and the borough of *Grimby*, in the county of *Lincoln*; any thing in this act contained to the contrary thereof in any wise notwithstanding.

The postma-
ster to observe
such orders as
her Majesty
shall make.

XXVII. And for the better management of the said post-office, and that the people of these kingdoms may have their intercourse of commerce and trade the better maintained, and their letters and advices conveyed, carried, and re-carried with the greatest speed, security, and conveniency that may be; be it further enacted by the authority aforesaid, That the said postmaster general so nominated, appointed, and constituted, as aforesaid, and his deputies, shall, from time to time, observe and follow such orders, rules, directions, and instructions for and concerning the settlement of posts and stages upon the several roads in *Great Britain* and *Ireland*, and other her Majesty's dominions, and the providing and keeping a sufficient number of horses at the several stages, as well for the carrying and conveying the said letters and packets, as for the horsing of all persons riding in post by warrant, or otherwise, as aforesaid, as her Majesty, her heirs and successors, shall, from time to time, in that behalf make and ordain.

No horses to
be seized with-

XXVIII. Provided always, and be it enacted by the authority aforesaid, That no person or persons shall have power to take,

take, use, or seize any horses for the services mentioned in this act, without the consent of the owner or owners thereof; any law, statute, usage, or custom to the contrary thereof in any wise notwithstanding.

XXIX. *And forasmuch as the post must necessarily pass several ferries in North America, in which the ferrymen give great delays, and sometimes have endeavoured to exact money from them, notwithstanding the same have always been free for the post; be it therefore enacted by the authority aforesaid, That no deputy or agent of such postmaster general, travelling with any mail of letters, shall pay any thing for passing or repassing any ferry within any of the colonies or plantations of her said Majesty in North America aforesaid; but such ferrymen shall forthwith, within one half hour after demand, convey such deputies, on pain of forfeiting for every offence the sum of five pounds, to be recovered in any court of record within any of the provinces or colonies in North America, by bill, plaint, or information, wherein no effoin, protection, or wager of law shall be allowed; one moiety thereof to her Majesty, her heirs and successors, towards the support of the government of the said provinces, and the contingent charges thereof; and the other moiety to the postmaster general, who shall sue and prosecute for the same, together with full costs of suit.*

Post to pay nothing for passing ferries in North America.

XXX. *And whereas many persons having received their letters, refuse to pay for the same, or often run in debt for the postage of their letters, or having received some small sum for the port of letters, which sums being very small in particular, are properly to be recovered in a summary way; be it therefore enacted by the authority aforesaid, That all sum and sums of money, not exceeding five pounds, that now is, or shall be due from any person or persons for letters or packets, or any letter or packet, to them delivered by any deputy or deputies of such postmaster general, or which now is, or shall be due from any person or persons for the port of letters or packets to them delivered by any deputy or agent of such postmaster general, not exceeding the said value, or which have been, or shall be received for the port of letters, not exceeding the same value, without answering or paying the monies so due and owing to the receiver general of the said revenues for her Majesty's use, shall be recovered before justices of the peace, in the same manner, and under the same rules, as small tithes are, by the laws of England, to be recovered; and such debt or sums of money shall be preferable in payment by the person owing the same, or from whose estate the same is or shall be due, before any debt of any sort to any private person whomsoever.*

Debts for postage to be recovered as small tithes are.

XXXI. *And be it further enacted by the authority aforesaid, That all inland letters sent by any packet post established by this act, as aforesaid, do and shall pay the rates and prices before mentioned at such stages at which they are last delivered only, unless the party that doth put in the letters desireth to pay elsewhere, and unless any such letters are directed on board*

Inland letters to pay where delivered.

7 & 8 W. 3. c. 6.

any ship or vessel, or to any person in the army, or are sent by the penny-post, and unless they be letters or packets going out of Great Britain, which have usually paid the rates in England; any thing in this act contained to the contrary thereof in any wise notwithstanding.

Proviso for the
two universi-
ties.

XXXII. Provided always, That this act, or any thing therein contained, shall not in any wise be prejudicial to the privileges of the two universities of *Oxford* and *Cambridge*, or either of them, or to the chancellors or scholars of the same, or their successors, but that they may use and enjoy such privileges as heretofore they have lawfully used and enjoyed, and that all letters and other things may be sent or conveyed to or from the said two universities in manner as heretofore hath been used; any thing herein to the contrary notwithstanding.

By-bags for
by-letters.

XXXIII. Provided always, That it shall and may be lawful to and for the postmaster general for the time being, his deputy and deputies, to continue by-bags for collecting and delivering of by-letters as hath been heretofore accustomed; such deputy and deputies duly accounting to, and paying the respective parts thereof to the receiver general of the said revenue for the time being, for the use of her Majesty, her heirs and successors.

Sums due on
2 June, 1711.
how recoverable.

XXXIV. Provided always, and be it further enacted by the authority aforesaid, That all and every sum and sums of money which shall or may be due and owing to her Majesty on the said first day of *June*, one thousand seven hundred and eleven, for the duties and revenues that have arisen, or shall or may arise to that time by posts, or by reason of the duties and revenues granted by either of the said former acts, shall be paid to the receiver general of the said revenue, for her Majesty's use, and be recovered and recoverable in such manner, and by such ways and means, as the same were recoverable before the making of this present act; any thing herein contained to the contrary thereof in any wise notwithstanding.

After 29 Sep-
tember, 1711.
for 32 years,
700l. to be
paid weekly
into the Ex-
chequer out of
the post-office.
Made perpetual
by 3 Geo. 1.
c. 7. s. 1.
This money bene-
appropriated,
9 Ann. c. 23
s. 54.

XXXV. And towards the establishment of a good, sure, and lasting fund, in order to raise a present supply of money for carrying on the war, and other her Majesty's most necessary occasions; be it further enacted by the authority aforesaid, That from and after the twenty ninth day of *September*, one thousand seven hundred and eleven, for and during the whole term of thirty two years from thence next and immediately ensuing, the full, clear, and intire weekly sum of seven hundred pounds of lawful money of *Great Britain*, out of all the duties and revenues from time to time, arising by virtue of this act, shall be brought and paid by the postmaster general, the receiver general of the post-office, or such other person or persons who, for the time being, shall have the receipt of the said duties and revenues, who are hereby respectively enjoined and required to bring and pay the same accordingly, into the receipt of the Exchequer, upon *Tuesday* in every week, if it be not an holy-day, and if it be, then upon the next day that is not an holy-

holy-day, as one week shall successively and immediately follow and succeed another; and in case in any week or weeks the whole receipt of the monies of the said duties or revenues hereby charged, as aforesaid, shall not be sufficient to answer the said weekly payment or payments hereby directed for such particular week or weeks, that then and so often the deficiency and deficiencies thereof shall be supplied and made good out of the whole receipt of the said duties or revenues arising in the next week or weeks, when the receipt or receipts shall be sufficient to bear the same; all which payments into the Exchequer shall be made for the purposes, and under the penalties, forfeitures, and disabilities hereafter in this act expressed.

XXXVI. And it is hereby further enacted by the authority Accountant general, and receiver general's duty. aforesaid, That the postmaster general for the time being, at the head office in *London*, shall, from time to time, cause an account to be kept by an accountant general of all the monies arising by virtue of this act, of or for the duties or revenues aforesaid, and every or any of them, as the same shall, from time to time arise, be paid or brought into the said office, to the hands of the receiver general for the time being, who is or shall be appointed, from time to time, to receive the same; and that such receiver general for the time being shall, out of the monies so arising, make the said weekly payments into the Exchequer, in manner, as aforesaid; and if the said postmaster general for the time being shall refuse or neglect to appoint or keep such accountant general, or if such accountant general shall neglect to keep a just and true account, as aforesaid, or if such receiver general shall at any time refuse or neglect to make any such weekly payments, as aforesaid, into the Exchequer, according to the true meaning of this act, or if the said postmaster general, accountant general and receiver general for the time being, or any of them, or any other officer of the said duties, shall divert or misapply any of the monies which should make good the said weekly payments, or any of them, or any part thereof, contrary to the tenor and true meaning of this act, at any time or times, during the said term of thirty two years, then and in any such case, they and every of them so offending shall forfeit their several offices and places, and be incapable to serve the Queen, her heirs or successors, in any office or place of trust or profit, and shall be liable, for every such offence, to pay double the value of the money so diverted or misapplied, to any person or persons who shall or may be grieved by reason of such offence, and will inform or sue for the same by action of debt, or of the case, bill, suit, or information, in any of her Majesty's courts of record at *Westminster*, wherein no effoin, protection, wager of law, or more than one imparlance shall be granted or allowed.

XXXVII. And to the end the said weekly sum of seven hundred pounds may be made a fund or security for the purposes in this act expressed; be it further enacted by the authority aforesaid, That there shall be provided and kept in the office

A book to be kept in the Exchequer, for the weekly payments.

office of the auditor of the receipt of the Exchequer, one book, in which all the monies which shall be paid in weekly, as aforesaid, for, or upon account of the said weekly sums out of the said duties, shall be entered apart and distinct from all other monies which shall be brought and paid to the said receipt upon any other account whatsoever.

Appropriation of the
700l. a week.

This revenue
liable to all
annuities,
grants, &c.
charged upon
the former
acts.

XXXVIII. Provided always, and it is hereby enacted, That the said weekly sum of seven hundred pounds for the purposes aforesaid, shall, from time to time, during all the said term of thirty two years, be paid into the Exchequer, as aforesaid, out of the whole produce of the duties and revenues arising by virtue of this act, with preference to all other payments which are, shall, or may be charged or chargeable thereupon, the necessary charges for managing the said post-office, and the duties thereof, and for receiving, answering, and accounting for the revenues arising thereby, only excepted; and that the said duties and revenues arising by this act, (after deduction, from time to time, to be first made of so much as shall be then due and incurred, or in arrear of or for the said weekly payments, at any time within or during the term aforesaid, and after the allowance of such necessary charges, as aforesaid, and not otherwise) shall, from time to time, be subject and liable to such annuities, and other payments and incumbrances, which by any act of parliament now in force were lawfully charged upon the revenues of the post-office, or any of them, granted by the said former acts hereby repealed, as aforesaid, or which having been charged by any grant upon the said revenues, have been saved by act of parliament, of and for such estate and estates in possession, reversion, or remainder, and subject to such conditions, limitations, restrictions, and appointments, and in such or the like manner and form, (and not otherwise) as the said revenues, payable by the said former acts, or any of them, would have been subject or liable if this act had not been made; any thing herein contained to the contrary notwithstanding.

After 1 June,
1743, the old
Rates to be
taken for let-
ters, &c.

1 Geo. 1. c. 7.
1. 1.

XXXIX. Provided always, and be it enacted by the authority aforesaid, That from and after the first day of June, one thousand seven hundred forty and three, the same rates and prices only, and no more, shall be taken or paid for the carriage, conveyance, and delivery of all letters and packets sent by the post from one part of Great Britain to another, as also for all letters brought to Great Britain, or sent from thence, from or to any parts beyond the seas, than were authorized or allowed to be taken by the postmaster general, or his deputy or deputies, for the postage of such letters, by the said several acts hereby repealed.

No letters to
be opened, de-
tained, or de-
layed.

XL. And whereas abuses may be committed by wilfully opening, imbeziling, detaining and delaying of letters or packets, to the great discouragement of trade, commerce, and correspondence: for prevention thereof, be it enacted by the authority aforesaid, That from and after the said first day of June, one thousand seven hundred and eleven, no person or persons shall presume wittingly, willingly, or knowingly,

6. knowingly, to open, detain, or delay, or cause, procure, permit, or suffer to be opened, detained, or delayed, any letter or letters, packet or packets, after the same is or shall be delivered into the general or other post office, or into the hands of any person or persons employed for the receiving or carrying post letters, and before delivery to the persons to whom they are directed, or for their use; except by an express warrant in writing under the hand of one of the principal secretaries of state for every such opening, detaining, or delaying; or except in such cases where the party or parties, to whom such letter or letters, packet or packets, shall be directed, or who is or are hereby chargeable with the payment of the port or ports thereof, shall refuse or neglect to pay the same; and except such letters or packets as shall be returned for want of true directions, and where the party, to whom the same is or are directed, cannot be found; and that every person or persons offending in manner aforesaid, or who shall imbezil any such letter or letters, packet or packets, shall for every such offence forfeit the sum of twenty pounds; the said penalties for any such offence committed in *England, Wales, or Berwick upon Tweed*, to be recovered by action, bill, plaint, or information in any of her Majesty's courts of record at *Westminster*; and for any such offence committed in that part of *Great Britain* called *Scotland*, to be recovered in the court of sessions or Exchequer there; such penalties respectively to be recovered by such person or persons as will inform or sue for the same, together with full costs of suit; and over and above such penalty, as aforesaid, every such person or persons so offending, as aforesaid, shall be for ever incapable of having, using, exercising, or enjoying any office, trust, or employment in or relating to the post office, or any branch thereof.

Exception.

XLI. And be it further enacted by the authority aforesaid, That no person or persons shall, after the said first day of *June*, one thousand seven hundred, and eleven, be capable of having, using, or exercising the office or offices of postmaster general, or any part thereof, or any other employment relating to the post office, or any branch thereof, or be any way concerned in receiving, sorting, or delivering of letters or packets, unless such person or persons shall first have taken the following oath before some one justice of the peace for the county or place where such person resides, which said oath such justice of peace is hereby authorized to administer in the following words:

Postmaster, &c. to be sworn.

I A. B. do swear, That I will not wittingly, willingly, or knowingly open, detain, or delay, or cause, procure, permit, or suffer to be opened, detained, or delayed any letter or letters, packet or packets, which shall come into my hands, power, or custody, by reason of my employment in or relating to the post office; except by the consent of the person or persons to whom the same is or shall be directed, or by an express warrant in writing under the hand of one of the principal secretaries of state for that purpose; or except in such cases, where the party

The oath.

party or parties to whom such letter or letters, packet or packets shall be directed, or who is or are hereby chargeable with the payment of the port or ports thereof, shall refuse or neglect to pay the same; and except such letters or packets as shall be returned for want of true directions, or when the party or parties to whom the same is or shall be directed, cannot be found: and that I will not any way imbezil any such letter or letters, packet or packets, as aforesaid.

One third of the surplus, over and above
 11,461 l. 17 s.
 10 d. per ann
 and 700 l. per
 week, disposable, by parliament.

XLII. And it is further enacted and declared by the authority aforesaid, That from the said first day of *June*, in the year of our Lord one thousand seven hundred and eleven, one third part of the surplus of the yearly produce arising by the said letter or post office, or duties upon postage of letters and packets by this act granted, over and above the sum of one hundred and eleven thousand four hundred sixty one pounds, seventeen shillings and ten pence, which was the amount of the gross receipt of the duties arising by virtue of the said former acts of parliament, (which are now repealed) for one year ended the ninth and twentieth day of *September*, in the year of our Lord one thousand seven hundred and ten, and over and above the said sum of seven hundred pounds *per week*, shall be, and is by this act reserved to the disposal of parliament for the use of the publick, and shall not be divertible or diverted to any other use, intent, or purpose, other than according to such disposal.

This revenue not alienable, &c.

XLIII. And to the intent the inheritance of such part of the said duties and revenue arising in and by the said general letter office or post office, which is hereby vested in her Majesty, her heirs and successors, undeterminable, as aforesaid, may be preserved in the crown, for the future benefit thereof; be it further enacted and declared by the authority aforesaid, That the same, or any part thereof, shall not hereafter be alienable chargeable or grantable by her Majesty, her heirs or successors, for any estate, term, or time whatsoever, to endure longer than the life of her Majesty, or of such King or Queen as shall make such alienation, charge, or grant respectively; and that all gifts, grants, alienations, and assurances whatsoever, to be had or made of, and charges upon the said duties or revenue, or any part thereof, contrary to the provision of this act, shall be null and void, without any inquisition, *Scire facias*, or other proceeding to determine or make void the same.

No officer of the post office to intermeddle in elections.

XLIV. And be it further enacted by the authority aforesaid, That no postmaster or postmasters general, or his or their deputy or deputies, or any person employed by or under him or them, in the receiving, collecting, or managing the revenue of the post office, or any part thereof, shall, by word, message, or writing, or in any other manner whatsoever, endeavour to persuade any elector to give or dissuade any elector from giving his vote for the choice of any person to be a knight of the shire, citizen, burghs, or baron of any county, city, borough, or cinque port, to serve in parliament; and every officer or other person offending therein shall forfeit the sum of one hundred pounds;

pounds; one moiety thereof to the informer, the other moiety to the poor of the parish where such offence shall be committed, to be recovered by action of debt, bill, plaint, or information in any of her Majesty's courts of record at *Westminster*, or in the court of *Exchequer* in *Scotland*; for the said offences committed in *England* or *Scotland* respectively, wherein no essoin, protection, or wager of law, or any more than one imparlance shall be allowed; and every person convict on any such suit of the said offence, shall thereby become disabled and incapable of ever bearing or executing any office or place of trust whatsoever under her Majesty, her heirs or successors.

C A P. XI.

An act for laying certain duties upon hides and skins, tanned, tawed, or dressed, and upon vellum and parchment, for the term of thirty two years, for prosecuting the war, and other her Majesty's most necessary occasions.

MAY it please your most excellent Majesty, we your Majesty's most dutiful and loyal subjects the commons of *Great Britain* in parliament assembled, duly considering your Majesty's great occasions for money to carry on the present war, in order to the establishing a good and lasting peace, and to defray other necessary expences, wherein the common good and welfare of your subjects are concerned, have cheerfully and unanimously given and granted, and do by this act give and grant to your Majesty the several and respective rates and duties for and upon all such skins and hides, and pieces of skins and hides whatsoever, and for and upon such made wares, and for and upon all such vellum and parchment, as are herein after more particularly described and mentioned, for and during such term of years, and in such manner and form, as are herein after expressed; and do most humbly beseech your Majesty, that it may be enacted; and be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That there shall be raised, levied, collected and paid unto and for the use of her Majesty, her heirs and successors, for and upon such skins and hides, and pieces of skins and hides, and for and upon such made wares herein after particularly described and mentioned, as shall at any time or times, within or during the term of thirty two years, to be reckoned from the four and twentieth day of *June*, one thousand seven hundred and eleven, be imported or brought into the kingdom of *Great Britain*, (over and above all other customs, subsidies, and duties imposed upon, or payable for the same) the several and respective rates and duties herein after expressed; that is to say,

For the appropriation of the duties arising by this act, see 9 Anna, c. 23. f. 54.

Duty on hides and skins, &c. imported for 32 years from 24 June, 1711. made perpetual by 3 Geo. 1. c. 7. f. 2.

For and upon all deer-skins which shall be imported or brought in as aforesaid, being dressed in oil or allom, or otherwise perfectly,

fectly dressed, the sum of six pence for every pound weight *Averdupois*, and after that rate for a greater or lesser quantity.

Lofhee, buffalo, &c. For and upon all lofhee, buffalo, elke, or any other hides dressed in oil, which shall be imported or brought in, as aforesaid, the sum of four pence for every such pound weight, and after that rate for a greater or lesser quantity.

Russia hides. For and upon all *Russia* hides which shall be imported or brought in, as aforesaid, the sum of two pence for every such pound weight, and after that rate for a greater or lesser quantity.

Other hides. For and upon all other tanned hides and tanned calf-skins, which shall be imported or brought in, as aforesaid, (not before especially charged) the sum of one penny half-penny for every such pound weight, and after that rate for a greater or lesser quantity.

Horse hides. For and upon all hides of horses, mares, and geldings, which shall be imported or brought in, as aforesaid, being dressed in allom and salt, or meal, or otherwise tawed, the sum of one shilling *per* hide, and after that rate for a greater or lesser number or quantity.

Hides of steers, &c. For and upon all hides of steers, cows, or any other hides of what kind soever, (those of horses, mares, and geldings excepted) which shall be imported or brought in, as aforesaid, being dressed in allom and salt, or meal, or otherwise tawed, the sum of two shillings for every hide, and after that rate for a greater or lesser number or quantity.

Calf-skins. For and upon all calf-skins and kipps which shall be imported or brought in, as aforesaid, being dressed in allom and salt, or meal, or otherwise tawed, the sum of one penny half-penny for every pound weight *Averdupois*, and after that rate for a greater or lesser quantity.

Slinks. For and upon all slink calf-skins which shall be imported or brought in, as aforesaid, dressed in allom and salt, or otherwise with the hair on, the sum of one penny for every pound weight *Averdupois*: and for all slink calf-skins which shall be imported

Dog-skins. or brought in, as aforesaid, dressed in allom and salt, or otherwise without the hair; and for all dogs-skins so dressed, which shall be imported or brought in, as aforesaid, the sum of one half-penny for every such pound weight, and after those rates for any greater or lesser quantity.

Cordivants. For all skins commonly called cordivants, which shall be imported or brought in, as aforesaid, the sum of four shillings for every dozen, and after that rate for any greater or lesser number or quantity.

Goat-skins. For and upon all other goat-skins, (not usually called cordivants) which shall be imported or brought in, as aforesaid, being dressed in oil, or with allom, salt, meal, or otherwise dress, the sum of six pence for every pound weight *Averdupois*, and after that rate for any greater or lesser quantity.

Kid-skins. For and upon all kid-skins, which shall be imported or brought in, as aforesaid, being dress, or undress, or not perfectly dress, the sum of one shilling for every dozen, and after that

that rate for any greater or lesser number or quantity : and if, any of the said kid-skins shall be dressed after the importation thereof, it is hereby declared, That no further duties are to be paid for the same by this act, upon the dressing, or perfect dressing them, or any of them, in *Great Britain*.

For and upon all sheep-skins and lamb-skins, which shall be imported or brought in, as aforesaid, the respective rates following, that is to say, for all imported sheep-skins dressed in oil, one shilling and six-pence *per* dozen; for all imported lamb-skins dressed in oil, one shilling *per* dozen; and for all imported sheep-skins and lamb-skins tanned, nine pence *per* dozen; and for and upon all imported sheep-skins and lamb-skins dressed in allum and salt, or meal, or otherwise tawed, six pence *per* dozen; and in proportion to those rates for greater or lesser numbers or quantities of such sheep-skins and lamb-skins respectively.

Sheep and
lamb-skins.

For drawback
on exporta-
tion.
See 12 Annæ,
stat. 2. c. 9.
l. 65.

And for and upon all hides and skins, and pieces of hides and skins, which shall be imported or brought in, as aforesaid, being, tanned, tawed, or dressed, and not herein before particularly charged, and for and upon all wares made into manufactures of leather, or any manufacture, whereof the most valuable part shall be leather, a duty after the rate of fifteen pounds for every one hundred pounds of the true and real value of the hides and skins, and pieces of hides and skins, and of the manufactures last-mentioned, and so proportionably for a greater or lesser quantity, to be affirmed upon the oath of the importer thereof; the said several and respective rates and duties for and upon all such hides and skins, and pieces of hides and skins, and made wares, to be imported or brought in, as aforesaid, within or during the term before-mentioned, to be paid by the importers thereof respectively.

Hides, &c.
imported, not
before charg-
ed.

To be paid by
the importer.

II. And be it further enacted by the authority aforesaid, That there shall be raised, levied, collected, and paid, unto and for the use of her Majesty, her heirs and successors, for and upon such skins and hides, and pieces of skins and hides, herein after more particularly described and mentioned, as shall at any time or times, within or during the said term of thirty two years, to be reckoned from the said four and twentieth day of *June*, one thousand seven hundred and eleven, be tanned, tawed, or dressed within *Great Britain*, the several and respective rates and duties hereafter expressed; that is to say,

Duty on hides
or skins tan-
ned, &c. in
Great Britain,
See 5 Geo. 1.
c. 2. l. 10.

For and upon all hides, of what kind soever, which shall be so tanned in *Great Britain*, the sum of one penny for every pound weight *averdupois*, and after that rate for a greater or lesser quantity.

Tanned hides.

For and upon all calf-skins, kips, hogs-skins, and dogs-skins, which shall be so tanned in *Great Britain*, the like sum of one penny for every such pound weight, and after that rate for a greater or lesser quantity.

Calf, kips,
hogs, and
dogs-skins.

For and upon all goat-skins, which shall, within or during the same term, be tanned with shomack, or otherwise, in *Great Britain*,

Britain,

Britain, to resemble *Spanish leather*, the sum of two pence for every pound weight *averdupois*; and after that rate for a greater or lesser quantity.

Roans.

See 10 Annæ,

c. 26. f. 2

and 3 Geo. 1

c. 4. f. 13.

Sheep and

lamb skins.

See 10 Annæ,

c. 26. f. 2

and 3 Geo. 1.

c. 4. f. 13.

For and upon all sheep-skins which, within or during the same term, shall be tanned for roans (being after the nature of *Spanish leather*) within *Great Britain*, a duty after the rate of one penny for every pound weight *averdupois*.

And for and upon all sheep-skins and lamb-skins which, within and during the same term, shall be tanned for gloves, and bazils, within *Great Britain*, a duty after the rate of one halfpenny for every such pound weight, and proportionably for greater or lesser quantities of sheep-skins and lamb-skins to be so tanned in *Great Britain* respectively.

Tanned skins
not before
charged.

And for and upon all other skins, and pieces and parts of skins, which, within or during the term last-mentioned, shall be tanned in *Great Britain* (not before particularly charged) a duty after the rate of fifteen pounds for every one hundred pounds of the true and real value thereof, and proportionably for greater or lesser numbers or quantities, the said several rates and duties for and upon all such hides and skins, and pieces of hides and skins, tanned in *Great Britain*, to be paid by the tanners thereof respectively.

Tawed horse-
hides.

And for and upon all hides of horses, mares, and geldings, which at any time or times, during the said term of thirty two years, shall be dressed in allom and salt, or meal, or otherwise tawed in *Great Britain*, the sum of one shilling for every hide, and after that rate for a greater or lesser quantity or number of such hides.

Hides of
steers, cows,
&c.

For and upon all hides of steers, cows, or any other hides of what kind soever (those of horses, mares, and geldings excepted) which shall be so dressed in allom and salt, or meal, or otherwise tawed in *Great Britain*, the sum of two shillings for every such hide, and after that rate for a greater or lesser quantity or number.

Calve skins
and kips.

For and upon all calve-skins, and kips, which shall be so dressed in allom and salt, or meal, or otherwise tawed in *Great Britain*, the sum of one penny for every pound weight *averdupois*, and after that rate for a greater or lesser quantity.

Skinks with
the hair on.

For and upon all skink calve-skins which shall be so dressed in allom and salt, or meal, or otherwise tawed in *Great Britain*, with the hair on, the sum of one shilling and six pence for every dozen, and after that rate for a greater or lesser number or quantity.

Skinks without
hair, and
dog skins.

For and upon all skink calve-skins which shall be so dressed or tawed without hair and upon all dog-skins which shall be tawed, as aforesaid, in *Great Britain*, the sum of six pence for every dozen, and after that rate for a greater or lesser number or quantity.

Buck and
doe skins.

For and upon all buck and doe-skins (except such as paid the full duty on the importation, as aforesaid) which shall be dressed in allom and salt, or meal, or be otherwise tawed, as aforesaid,

in *Great Britain*, the sum of three pence for every pound weight *averdupois*, and after that rate for a greater or lesser quantity.

For and upon all kid skins which shall be so dressed or tawed Kid-skins. in *Great Britain* (except such as paid the full duty on the importation, as aforesaid) the sum of six pence for every dozen, and after that rate for a greater or lesser number or quantity.

For and upon all goat-skins which shall be so dressed in Goat-skins: allom and salt, or meal, or be otherwise tawed in *Great Britain*, the sum of one shilling and six pence for every dozen, and after that rate for a greater or lesser number or quantity.

For and upon all beaver-skins which shall be so tawed in *Great Britain*, the sum of one shilling for every dozen, and after that rate for a greater or lesser number or quantity.

For and upon all sheep-skins and lamb-skins to be dressed Sheep and lamb skins. in allom and salt, or meal, or otherwise tawed in *Great Britain*, the sum of one halfpenny for every pound weight *averdupois*, and after that rate for a greater or lesser quantity. See 10 Annus, c. 26. f. 2. and 3 Geo. 2. c. 4. f. 13.

And for and upon all other skins, and parts and pieces of skins, to be tawed in *Great Britain* (not before particularly charged) a duty after the rate of fifteen pounds for every one hundred pounds of the true and real value thereof, and proportionably for greater or lesser numbers or quantities: which said several rates and duties for and upon all hides and skins, and pieces of hides and skins, to be dressed in allom and salt, or meal, or otherwise tawed in *Great Britain*; shall be paid by such persons as shall be the tawers or makers thereof into leather respectively. Tawed skins not before charged.

For and upon all hides and skins which, within or during Hides and skins dressed in oil. the term aforesaid, shall be dressed in oil within *Great Britain*, the sum of four pence for every pound weight *averdupois*, and after that rate for a greater or lesser quantity.

For and upon all deer-skins, goat-skins, and beaver-skins; Deer, goat, which shall be so dressed in oil within *Great Britain*, the like sum of four pence for every pound weight *averdupois*, and after skins. that rate for a greater or lesser quantity.

For and upon all calve-skins, which shall be so dressed in oil Calve-skins. within *Great Britain*, the like sum of four pence for every pound weight *averdupois*, and after that rate for a greater or lesser quantity.

For and upon all sheep-skins, which shall be so dressed in oil Sheep-skins and lamb-skins. in *Great Britain*, the rate of one penny for every such pound weight; and upon all lamb-skins, that shall be so dressed in oil in *Great Britain*, the like rate of one penny for every such pound weight, and proportionally for greater or lesser quantities of such sheep-skins or lamb-skins respectively.

And for and upon all other skins, and parts or pieces of Skins dressed in oil not before charged. skins, to be so dressed in oil in *Great Britain* (not before particularly charged) a duty after the rate of fifteen pounds for every one hundred pounds of the true and real value thereof, and proportionally for greater or lesser numbers or quantities: the said several duties for and upon all hides and skins, and pieces of

Definition of
tanned lea-
ther. See
3 Geo. 1. c. 4.
l. 13.

Leather dres-
sed in oil,
and tawed
leather.

Duty on vel-
lum and
parchment
imported
or made in
Great Britain.
Made perpe-
tual by 3 Geo.
1. c. 7.

Duty on skins,
&c. imported,
to be paid by
the importer.

of hides and skins, to be dressed in oil within *Great Britain*, to be paid by the oil leather dressers respectively.

III. And for better avoiding all doubts and controversies concerning the several kinds of hides and skins; and pieces of hides and skins chargeable by this act; it is hereby declared and enacted by the authority aforesaid, That by tanned hides or skins, or by tanned pieces of hides or skins, are meant only such as are tanned in wooze made of the bark of trees or shomack, or whereof the principal ingredients shall be such bark or shomack; and that by hides and skins dressed in oil, or pieces of hides and skins dressed in oil, are meant such as are made into leather in oil, or with any liquor or materials whereof the chiefest ingredient shall be oil; and that by tawed hides or skins, or by tawed pieces of hides or skins, are meant such as are dressed or made into leather in allom and salt, or meal, or other ingredients properly used by the tawers of white leather; and that when her Majesty's full duty by this act shall be paid for any hide or skin, or part of any hide or skin, under any one of the said denominations, to wit, as for tanned leather, tawed leather, or dressed leather, the same skin or hide, or piece of any skin or hide, is not to be further charged by this act under any other of the said denominations; any thing in this act contained to the contrary notwithstanding.

IV. And be it further enacted by the authority aforesaid, That there shall be raised, levied, collected, and paid unto and for the use of her Majesty, her heirs and successors, for and upon all vellum and parchment which shall, at any time or times, within or during the said term of thirty two years, to be reckoned from the said four and twentieth day of *June*, one thousand seven hundred and eleven, be made in *Great Britain*, or imported into the same, the several and respective rates and duties herein after expressed; that is to say, for and upon all vellum so imported a duty after the rate of one shilling for every dozen; and for all parchment so imported a duty after the rate of six pence for every dozen, and proportionally for greater or lesser numbers or quantities, to be paid by the importers thereof respectively; and for and upon all vellum which shall be made in *Great Britain*, as aforesaid, a duty after the rate of one shilling for every dozen; and for all parchment which shall be made in *Great Britain*, as aforesaid, a duty after the rate of six pence for every dozen, to be paid by the makers thereof respectively.

V. And be it further enacted by the authority aforesaid, That the several rates and duties by this act set or imposed upon all or any of the said hides or skins, or pieces of hides or skins, vellum and parchment, or made wares, by this act chargeable, which shall be imported or brought into *Great Britain*, as aforesaid, shall, from time to time, be satisfied and paid by the importer or importers of the same in ready money, upon his, her, or their entry or entries made, and before the landing thereof; and that in case any of the same commodities or manu-
factures

factures shall be landed or put on shoar out of any ship or vessel, before due entry be made thereof at the custom-house in the port or place where the same shall be imported, and before the said duties by this act charged or chargeable thereupon shall be duly paid, or without a warrant for the landing or delivering the same first signed by the commissioners, collectors, or other proper officer or officers of the customs respectively, that all such imported commodities and manufactures by this act chargeable, as aforesaid, as shall be so landed or put on shoar, or taken out of any ship or vessel, contrary to the true meaning hereof, or the value of the same, shall be forfeited, and shall and may be seized or recovered of the importer or proprietor thereof, to wit, one moiety of the same to the use of her Majesty, her heirs and successors, and the other moiety to the use of such person or persons as will seize, inform, or sue for such commodities or manufactures chargeable by this act, as shall be so imported and forfeited, or the value thereof, in any of her Majesty's courts of record at *Westminster*, or in her Majesty's court of *Exchequer* in *Scotland*, by action, bill, suit or information, wherein no essoin, protection, or wager of law, or more than one imparlance, shall be granted or allowed.

Goods landed before entry, &c. forfeited or the value.

VI. And it is hereby further enacted by the authority aforesaid, That from and after the duties hereby granted upon such imported hides or skins shall be paid and satisfied, the officer or officers of the customs of the port or place where the same shall be imported, shall cause every such hide or skin to be marked with such distinct mark as this act directs to be provided and used, to denote the payment of the duty of such imported hides or skins, as aforesaid.

After duty paid, skins, &c. to be marked.

VII. And be it further enacted by the authority aforesaid, That the said duties on all such commodities and manufactures chargeable by this act, as shall be imported or brought into *Great Britain*, during the continuance thereof, shall be ascertained, secured, raised, uplifted, levied, recovered and answered, for the uses and purposes in this act expressed, by such rules, ways, means, and methods, and under such penalties and forfeitures, and in such manner and form, as her Majesty's duties, called the subsidies upon poundage goods imported, or any of them, are by any law or statute now in force, to be ascertained, secured, raised, uplifted, levied, recovered or answered, during the continuance thereof respectively.

How these duties shall be raised.

VIII. And it is hereby declared and enacted, That the values of such of the said imported commodities and manufactures chargeable by this act, as are to pay duty *ad valorem*, upon the importation thereof, shall in all cases be taken to be so much as such imported kinds are really worth to be sold at the port of importation, without any abatement for the duties thereupon charged by this or any former act; and that the respective customer or collector, or other person or persons, officer or officers of the customs, for the time being, shall receive and levy the said duty, payable *ad valorem*, upon the oath of the

Imported goods that pay *ad valorem*, how to be ascertained.

merchant or importer accordingly; and such oath shall and may be administered, and all other matters done for ascertaining the said duties, so payable *ad valorem*, in the same manner and form as are lawfully used and practised, or ought to be practised, for ascertaining any other the duties payable *ad valorem*, upon the importation of leather.

These duties to be under the government of the commissioners of the customs.

IX. And be it enacted and declared by the authority aforesaid, That such of the duties imposed by this act for or upon the said commodities or manufactures to be imported, as aforesaid, as shall arise in *England, Wales*, and the town of *Berwick upon Tweed*, shall be under the management of the commissioners and officers of the customs in *England* for the time being; and such of the duties imposed by this act on the said commodities and manufactures to be imported, as aforesaid, as shall arise in *Scotland*, shall be under the management of the commissioners and officers of the customs in *Scotland* for the time being; and that the respective receivers general of the customs in *England* and *Scotland* for the time being shall, from time to time, pay, or cause to be paid, all the monies that they respectively shall receive of the said duties on the said commodities and manufactures to be imported, as aforesaid (the necessary charges of raising and accounting for the same excepted) into the receipt of her Majesty's Exchequer in *England*, distinctly and apart from all other branches of the publick revenues, and under the like penalties, forfeitures and disabilities as are to be inflicted by this act, for diverting or misapplying any monies by this act required to be paid into the Exchequer.

1 Ja. 1. c. 22.

X. And whereas, in the first year of the reign of King James the First, of happy memory, a good and wholesome statute was made concerning tanners, shoemakers, curriers, and other artificers in leather, wherein ample provision was made for the true and well tanning, currying, and working of leather, and for and concerning the buying and selling of leather red and unwrought, in open fairs and markets and for such other matters and things relating to leather, as in the said statute are plainly and largely expressed, the due execution whereof hath been and is of great importance to the publick good, and service of this realm, and will very much contribute to the ascertaining and collection of several of the duties by this act intended to be granted: be it therefore enacted by the authority aforesaid, That all mayors, bailiffs, or other head officers for the time being, in the several cities, boroughs and market towns of this realm; and the respective lords of liberties, fairs and markets; and the masters and wardens of the several companies in the said act expressed; and all tanners, curriers, shoemakers, and other artificers, and all and every other person and persons whatsoever, who are, or ought to be concerned in the execution of the said statute, or to give obedience thereunto, shall (under such pains, penalties and forfeitures as are therein severally expressed) duly execute, observe and comply with the same statute, and all the clauses, matters and things therein contained, in relation to the tanning, dressing, making, buying, selling, trying, sealing, registering, or other

Mayors, bailiffs, &c. and all tanners, &c. are to execute, and comply with the stat.

1 Ja. 1. c. 22.

other matters concerning leather, other than such as have been altered by any law or statute since that time made, and now in force.

XI. And for the better preventing the gashing and cutting of any hides in flaying thereof, whereby the same shall be impaired or hurt; it is hereby enacted, That from and after the four and twentieth day of *June*, one thousand seven hundred and eleven, if the raw hide of any ox, bull, steer, or cow, or the skin of any calf, shall wilfully or negligently be gashed, slaughtered, or cut in the flaying thereof, or being gashed, slaughtered, or cut, as aforesaid, shall be offered to sale by any butcher, or any other person or persons whatsoever, then and in every such case the butcher or other person, who impaired or hurt the said hide, by gashing, slaughtering, or cutting, as aforesaid, or the person offering the same to sale, shall for every such offence forfeit and pay the sum of two shillings and six pence for every such hide, and one shilling for every such calve-skin, to wit, one moiety thereof to the poor of the parish where the same shall be found or offered to sale, and the other moiety thereof to such persons as will seize, inform, or sue for the same.

Penalty on
gashing hides
or skins.

XII. And be it further enacted, That if any tanner or other person or persons, from and after the said four and twentieth day of *June*, one thousand seven hundred and eleven, shall shave or cause to be shaved any hide or calve-skin, whatsoever, before the same be thoroughly tanned, whereby such hide or skin shall be impaired, and her Majesty's duty thereby diminished, every such hide or skin, or the value thereof, shall be forfeited; one moiety to the Queen, and the other moiety to him or them that will inform or sue for the same.

Penalty on
shaving hides,
before the
same be tho-
roughly tan-
ned.

XIII. And for the better ascertaining, charging and securing the duties by this act set and imposed upon all hides and skins, and pieces of hides and skins, which, within and during the said term of thirty two years, shall be tanned, tawed, or dressed within *Great Britain*, according to the true meaning of this act, and for preventing frauds concerning the same; be it further enacted by the authority aforesaid, That it shall and may be lawful to and for her Majesty, her heirs and successors, or to and for the commissioners of the treasury, or any three or more of them now being, or the high treasurer, or any three or more of commissioners of the treasury for the time being, on her Majesty's behalf, in writing to commissionate and appoint such and so many commissioners or persons as they shall think fit, by one or more commission or commissions, from time to time, to be her Majesty's commissioners for the receipt and management of the said duties by this act set or imposed upon all hides and skins, and pieces of hides and skins, tanned, tawed, or dressed, or to be tanned, tawed, or dressed in *Great Britain*; which said commissioners, or the major part of them respectively, shall and have hereby power, by commissions under their respective hands and seals, to substitute and appoint under them such receivers general, collectors, comptrollers, surveyors, and other

Her Majesty
or the com-
missioners of
the treasury,
to appoint
commissioners
for these du-
ties;

Who may sub-
stitute other
officers.

officers, as shall be requisite and necessary for the purposes aforesaid; and that the said commissioners so to be appointed, and all the officers for the said duties, shall have out of the same such salaries and rewards for their respective services in relation to the said duties, as the said commissioners of the treasury, or any three or more of them now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, shall think reasonable to establish or allow in that behalf; and that the said commissioners for the said duties respectively, for the time being, shall from time to time cause all the monies to arise by or for the said duties upon hides and skins, and pieces of hides and skins, to be tanned, tawed, or dressed in *Great Britain*, and for the said vellum and parchment to be made in *Great Britain* (the necessary charges of managing, collecting, and raising the same excepted) to be paid from time to time, as the same shall arise, into the receipt of her Majesty's Exchequer in *England*, under the penalties, forfeitures, and disabilities herein after expressed.

The money to be paid into the Exchequer.

The duty on hides, &c. dressed in *Great Britain*, that pay *ad valorem*, how to be ascertained.

XIV. And it is hereby enacted and declared, That the value of such hides and skins, or pieces of hides and skins, tanned, tawed, or dressed in *Great Britain*, as are to pay duty *ad valorem*, as aforesaid, shall in all cases be taken to be so much as they respectively shall then be really and *bona fide* worth to be sold for, or will yield at the next market, without respect to the duty hereby granted; and that the collector for the time being shall receive the said duties payable *ad valorem* accordingly, upon the oath of the tanner, tawer, dresser, or maker respectively, to be administered as is herein after directed.

Tanners, &c. before 20 July, 1711. to give notice to the proper officer of their names and places of abode, &c. of their tan-yards, and of their pits, &c.

XV. And it is hereby further enacted by the authority aforesaid, That all and every tanner, bazil tanner, currier, tawer, *Spanish* leather-dresser, and all other dressers of hides or skins, or pieces of hides or skins, to be tanned, tawed, or dressed in wooze, mill, allom, salt, oil, meal, or other materials whatsoever, and all and every maker of vellum and parchment in *Great Britain*, shall before the twentieth day of *July*, one thousand seven hundred and eleven, give notice in writing to some one or more of the proper officer or officers to be appointed for the next market to the place where any tan-house, tan-yard, workhouse, mill, or other place, shall be made use of for the tanning, tawing, or dressing any such hides or skins, or pieces of hides or skins; or making any such vellum or parchment, as aforesaid, of their respective names and places of abode, and of every such tan-house, tan-yard, work-house, mill, or other place, for the tanning, tawing, or dressing any such hides or skins, or pieces of hides or skins, vellum and parchment, as aforesaid, by them respectively used, and of the number and situation of pits and fats in them or any of them, and of the numbers and kinds of the hides and skins, or pieces of hides and skins, then being in the said pits and fats respectively; and that all and every such tanner, tawer, currier, dresser and maker, as aforesaid, as often as he, she, or they shall change their places of tanning, tawing, or dressing of such hides or skins,

or pieces of hides and skins, or making such vellum or parchment, and all and every person and persons, who shall at any time or times hereafter, during the continuance of this act, be the tanner, tawer, currier, or dresser of any such hides or skins, or pieces of hides or skins, or be the maker of any such vellum or parchment, as aforesaid, shall give or leave the like notice of their respective names and places of abode, and of their tan-houses, yards, work-houses, mills, or other places where they shall tan, taw, or dress, or intend to tan, taw, or dress any such hides or skins, or pieces thereof, or make any such vellum or parchment, as aforesaid, before they or any of them do presume to make use of such tan-house, yard, work-house, mill, or other place, or any pits or fats therein, to the end the said officers may, from time to time, have due knowledge of all such tan-houses, tan-yards, work-houses, mills, or other places, with the number and situation of fats and pits where such hides or skins, or pieces thereof, shall be tanned, tawed, or dressed, and where the said vellum or parchment shall be made, and be the better enabled to take an account of all hides and skins, and pieces of hides and skins, vellum and parchment, chargeable by this act, that so her Majesty may be the better answered the duties for the same; and if any such tanner, tawer, currier, dresser, or maker, as aforesaid, shall neglect to give or leave such notice as is required by this act, as aforesaid, he, she, or they shall, for every such offence, forfeit the sum of fifty pounds; one third part thereof to her Majesty, her heirs or successors, and the other other two thirds to him or them that shall inform or sue for the same. on forfeiture of 50l.

XVI. And the better to prevent any frauds or concealments, whereby her Majesty, her heirs or successors, may be injured or deprived of her or their dues; be it further enacted, That the several tanners, tawers, dressers, and makers aforesaid, during the continuance of this act, shall not make use of any place or places for the drying or keeping the said hides or skins, or any pieces of hides or skins, vellum, or parchment, chargeable by this act, other than such place or places whereof he, she, or they shall first have given notice to the proper officer of the said duties, to be the usual place or places for his, her, or their drying and keeping the same; and that the respective tanners, tawers, dressers, and makers aforesaid, shall, from time to time, give or send notice in writing to the proper officer for the said duties, of the time when such tanner, tawer, maker, or dresser shall take his, her or their hides or skins, or pieces of hides or skins, or any of them, or any vellum or parchment, out of the mill, wooze, liquor, oil or other materials, wherein the same shall be tanned, tawed, steeped, or dressed, in order to be dried; which notice shall from time to time, be given or sent two days at the least, before the taking such hides or skins, or pieces thereof, or the said vellum or parchment out of the said wooze, mill, liquor, oil, or other materials, or before the hanging up or disposing the same to be dried; Tanners, &c. to give notice of their places for drying or keeping of hides, &c. and when they take their skins, &c. out of the mill, &c. and to permit the officers to

take an account of their hides, &c.

and within two days to make entry on oath.

Goods not to be removed before entred and marked.

Officers may enter tan-yard, &c.

Owner refusing en-

dried; and that the respective tanners, tawers, dressers, and makers aforesaid, shall, from time to time, permit and suffer the proper officers of the said duties, and they are hereby empowered, to take an account of the number and quality of all hides and skins, and pieces thereof, vellum and parchment, which any such tanner, tawer, dresser or maker, by or for himself or themselves, or by or for any other person or persons, shall (at any time or times from and after the said four and twentieth day of *June*, one thousand seven hundred and eleven, during the said term of thirty two years) take out of the wooze, mill, liquor, oil, or other materials, wherein the same shall have been tanned, tawed, steeped, dressed, or made, in order to be dried; and shall within two days after the taking out of the said wooze, mill, liquor, or other materials aforesaid, and before the carrying away the same from the usual place or places, where such hides or skins, or pieces thereof, or such vellum, or parchment, are or shall be usually dried, make true entry, with the proper officer or officers, of the number and quality of the hides, skins, and the pieces of hides and skins so taken out to be dried, and shall verify such entry upon oath, which oath any justices of the peace, or the collectors or supervisors, that shall be appointed for the said duty, in their respective districts, are hereby empowered to administer, to the end the respective duties for the same may be answered, as is herein after directed; and that no tanner, tawer, dresser, or maker of such hides or skins, or pieces of hides or skins, or such vellum or parchment, so taken out of the wooze, mill, liquor, or materials aforesaid, after the said four and twentieth day of *June*, at any time or times, during the term aforesaid, shall remove, carry, or send away, or suffer to be removed, carried, or sent away, the same, or any part thereof, from their respective yards, work-houses, or other places where they shall usually dry such hides or skins, or pieces of hides or skins, or such vellum or parchment, unless the duty payable by this act for such hides and skins, and pieces of hides and skins, and for such vellum and parchment respectively, so to be removed, be first charged and entred, and a mark be put thereupon to denote the charge and entry thereof, as this act directs.

XVII. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the officer and officers so to be appointed, at all seasonable times, in the day-time, to enter into any tan-yard, work-house, ware-house, mill, or other house or place used by any such tanner, tawer, currier, or dresser of any hides or skins, or pieces of hides or skins, or by any maker of vellum or parchment, chargeable by this act, or where any such shall be lodged, to search and see what quantities of such hides and skins, or pieces of hides and skins, vellum, and parchment, are taken out of the wooze, mill, liquors, or other materials as aforesaid, in order to be dried; or made fit for sale or use; and if any owner or occupier of any such tan-yard, work-house, or other place, as aforesaid, shall

shall at any time or times, refuse entrance to the officer or officers, as aforesaid, he, she, or they, shall for every such refusal forfeit the sum of ten pounds; one third part thereof to the use of her Majesty, her heirs and successors, and the other two thirds to the use of him or them who will inform or sue for the same; and if any tanner, tawer, currier, or dresser of any hides or skins, or pieces of hides or skins, or any maker of vellum or parchment, chargeable by this act, shall endeavour to defraud her Majesty, her heirs or successors, of any duty by this act payable, by using any private tan-yard, work-house, pit, fat, mill, or place, for the tanning, tawing, steeping, dressing, drying, or keeping the same contrary to this act; or by not giving or sending such timely notice of taking his, her, or their hides or skins, or pieces of hides or skins, out of the wooze, mill, liquor, oil, or other materials, as this act requires; or by not making due entries, and giving an account of the said hides and skins, or pieces thereof, as aforesaid; or by removing, sending, or carrying away the same, or any part thereof, contrary to this act; or shall fraudulently hide or conceal, or cause to be hid or concealed, any of the said hides or skins, or pieces thereof, vellum or parchment chargeable by this act, to the intent to deceive her Majesty, her heirs or successors, of her or their just dues for the same; that then, and in every such case, for every such offence, the party so offending shall forfeit the sum of twenty pounds; one moiety whereof to the Queen, and the other moiety to him or them who will inform or sue for the same; and moreover, in all such cases, all such hides and skins, and pieces of hides and skins, vellum and parchment, which shall be found in any such private tan-yard, work-house, ware-house, house, mill, or place, or for which no such entry shall be made, or that shall be so unlawfully removed, sent or carried away, contrary to this act, or shall be fraudulently hid or concealed, or the value thereof, shall be forfeited, to wit; one moiety thereof to the use of her Majesty, her heirs and successors, and the other moiety thereof to the person or persons who will seize, inform, or sue for the same.

XVIII. And for the better collection, receiving and levying of the said rates and duties upon the said several kinds of hides and skins, and pieces of hides and skins, and upon vellum and parchment, by this act severally charged, as aforesaid; be it further enacted by the authority aforesaid, That all and every person and persons whatsoever, who at any time or times, within or during the said term of thirty two years, shall tan, taw, or dress any hides or skins, or pieces of hides or skins whatsoever, chargeable by this act, shall, at their several yards or places by them respectively used for drying the same, provide and keep at their own costs and charges, sufficient and just scales and weights for weighing of all such hides and skins, and pieces of hides and skins, which they respectively shall tan, taw, or dress, and for which the said duties are to be paid by weight as aforesaid; and that such and so many sworn officers for the said duties

trance, forfeits
10l.

Tanner, &c.
using private
tan-yard, &c.

or not giving
timely notice,

or not making
due entries,
or removing,
or concealing
any skins, &c.

forfeits 20l.
and things so
concealed.

Tanners, &c.
to keep scales
and weights.

Sworn officers
to be appoint-
ed for weigh-
ing.

as shall be sufficient and necessary for the weighing the said hides and skins, and pieces thereof, and performing such other matters and things as are to be performed, by such officer or officers at every such yard or dressing-place, shall be appointed, and give due attendance for that purpose.

Tanners, &c.
to give notice
to the officers
two days be-
fore removal
of hides, &c.

XIX. And it is hereby further enacted by the authority aforesaid, That every such tanner, tawer, or dresser of any such hides or skins, or pieces of hides or skins, and every maker of vellum or parchment, shall, from time to time, before any such hides or skins, pieces of hides or skins, or such vellum or parchment shall be removed from his, her, or their yards, work-houses, places of dressing, drying, or keeping the same respectively, give notice in writing, by the space of two days, to the proper officer or officers for the said duties, of all hides and skins, pieces of hides and skins, and all such vellum and parchment, as he, she, or they shall intend to remove, to the intent that the officers for the said duties may ascertain the duties payable for the same, (for the giving of which notice, he, she, or they shall not be obliged to go further than the next market town) and every such tanner, or dresser shall permit all such hides or skins, for which the duties are to be charged and paid by weight, to be weighed by the proper officer or officers at the yard or place where the same shall be dried or kept, before the same shall be removed, as aforesaid, and shall bring or cause the same to be brought to the scales, and assist in weighing thereof, and shall also permit the officer for the said duties to take an account of the numbers and qualities of all such skins and hides, or pieces of skins and hides, vellum, and parchment, so intended to be removed, whereof the duty is to be paid by tale, and shall likewise ascertain the value of all such skins and hides, or pieces of skins and hides, so intended to be removed, whereof the duty is to be charged and paid *ad valorem*, by the oath of the said respective tanners, tawers, dressers, or makers thereof, as aforesaid: which oath any justice of the peace, or the said respective officer or officers, are hereby impowered to administer, before any such skins or hides, or pieces of skins or hides, be removed from the places of drying or keeping the same respectively.

and to permit
and assist the
officer in
weighing or
selling the
same, and to
ascertain the
value.

Officer to
make a return
in writing, see
1 Geo. I. C. 3.
f. 10.

XX. And it is hereby further enacted by the authority aforesaid, That from and after the duties of the said skins and hides, pieces of skins and hides, vellum and parchment, so intended to be removed, shall be ascertained by weight, tale, or *ad valorem*, as aforesaid, the proper officer or officers for the said duties shall fairly enter in a book to be kept by him or them for that purpose, the respective weights, tales, and value of all such hides and skins, pieces of hides and skins, vellum and parchment, whereof the duties shall have been so ascertained, as aforesaid, and shall make thereof a return or report in writing to the respective commissioners, or the collectors, or other persons by them appointed to receive the same, leaving a true copy thereof under his hand with the respective tanners, tawers,

tawers, dressers, and makers of such hides and skins, pieces of hides and skins, vellum and parchment: which return or report of the said officer or officers shall be a charge upon the tanners, tawers, dressers and makers of such hides and skins, pieces of hides and skins, vellum and parchment respectively.

and leave a copy thereof with the tanner, &c.

XXI. And it is hereby further enacted by the authority aforesaid, That immediately from and after the duty of the said hides and skins, pieces of hides and skins, vellum, and parchment, so intended to be removed, shall be ascertained by weight, tale, or *ad valorem*, as aforesaid, and an entry made thereof in a book to be kept by the said officer or officers, as aforesaid, the said officer or officers, who shall so have ascertained the same, shall cause every hide or skin, and every piece of a hide or skin, and all vellum and parchment, whereof the duty shall be so ascertained, to be marked with such mark as this act directs to be provided and used, to denote the charging of such duty, as aforesaid.

Officer to mark each hide, &c.

XXII. Provided always, That in case any such tanner, tawer, dresser, or maker of such hides or skins, pieces of hides and skins, vellum or parchment, shall desire the said mark to be made upon any particular part thereof, then the officer or officers so appointed to mark the same, shall mark the same accordingly.

Officer to mark the hide, &c. where tanner, &c. desires.

XXIII. And it is hereby further enacted by the authority aforesaid, That the respective tanners, tawers, dressers, and makers of such hides and skins, pieces of hides and skins, vellum and parchment, shall pay off and discharge all the duties of the said hides and skins, pieces of hides and skins, vellum and parchment, so marked, as aforesaid, in manner herein after mentioned, (that is to say) such of the said duties as shall arise within the cities of *London* and *Westminster*, and the limits of the weekly bills of mortality, to the receiver of the said duties at the head office of the said commissioners, within fourteen days after the same shall be marked as aforesaid; and such of the said duties as shall arise and be payable in the other parts of *Great Britain*, within six weeks after the same shall be so marked and stamped, as aforesaid, to the respective collectors that shall be appointed to receive the same: and the officers to be appointed for collecting and receiving the duties hereby granted, shall, and they are hereby required to give receipts under their hands, *gratis*, and without delay, for all the monies they shall, from time to time, receive, by virtue of this act, to or for the use of such person or persons as shall pay the same.

Persons in London, &c. to discharge the duties in 14 days, in any other parts in 6 weeks.

XXIV. Provided always, That no person or persons shall be obliged, for the payment of the said duties, to go farther than the next market town to the respective places where the same shall be so marked as aforesaid.

Payment to be made at the next market town.

XXV. And be it further enacted by the authority aforesaid, That every such tanner, tawer, dresser, or maker of such hides

Penalty on non-pay-hides

ment double
the sum, &c.

hides and skins, pieces of hides and skins, vellum and parchment, chargeable with the said duties, who shall neglect or refuse to make such payment, as aforesaid, shall forfeit and lose, for every such offence, double the sum of the said duty whereof the payment shall be so refused or neglected: and that no such tanner, tawer, dresser, or maker, or other person, after such default made, shall send, deliver, or carry out any hides or skins, pieces of hides or skins, vellum or parchment, until he, she, or they have or hath paid and cleared off his, her, or their duty, as aforesaid; on pain to forfeit double the value of such hides or skins, pieces of hides or skins, vellum or parchment, so delivered or carried out.

Tanner not
keeping just
scales, &c.

XXVI. And be it further enacted by the authority aforesaid, That if any tanner, tawer, dresser, or maker of any hides or skins, or pieces of hides or skins, chargeable by this act, shall not at their respective yards, or other places for drying the same, keep just scales and weights, as this act directs, or shall not permit his, her, or their hides or skins, or pieces of hides or skins, which are to be weighed at such yards or drying places, as aforesaid, to be there weighed; or neglect or refuse to bring the same to the scales, or assist at the weighing of the same, as this act requires; or if any tanner, tawer, or dresser of hides or skins, or pieces of hides or skins, or any maker of vellum or parchment chargeable by this act, shall remove or convey, or cause or procure to be removed or conveyed from his, her, or their yard or drying place, any of the said hides and skins, or pieces of hides and skins, or any such vellum or parchment, before the said duties shall be fully charged by weight, or tale, or *ad valorem*, as this act in the respective cases doth require, and before the same hides or skins, or pieces of hides and skins, and such vellum and parchment respectively, shall be marked, to denote the charging of the duty as this act directs; or if any buyer or contractor shall take or carry away, or cause or procure to be carried away, from any such yard or drying place, any of the kinds of hides or skins, or pieces of hides or skins, vellum or parchment, before the same shall be marked, as this act directs; that then and in every such case, all and every such tanners, tawers, dressers, makers, buyers, contractors, or other persons respectively, shall for every such offence forfeit and lose the sum of fifty pounds, to wit, one moiety thereof to the Queen, and the other moiety to him or them that will inform or sue for the same; and moreover, that all the hides and skins, and pieces of hides and skins, vellum and parchment, which shall be sold or removed, contrary to this act, shall be forfeited, and shall and may be seized by any of her Majesty's officers, for her Majesty's use.

or removing
his hides, &c.
before the du-
ty is charged,

or before
marking,

and the buyer
or contractor,

to forfeit 50 l.
and the hides,
&c. so remov-
ed.

Tanner, &c.
to account
with the pro-
per officer
once in three
months.

XXVII. And be it further enacted by the authority aforesaid, That every tanner, tawer, and dresser of any hides or skins, or pieces of hides or skins, and every maker of vellum and parchment in Great Britain shall once in every three months at the least, make an account with the proper officer of every divi-
sion

tion or district respectively, of and for all the hides and skins, and pieces of hides and skins, which such tanner, tawer, dresser, or maker respectively, by himself, or any other, within the time of every such account, shall have taken out of the wooze, mill, liquor, or ingredients, used for tanning, tawing, steeping, dressing, or making the same, and of his entries thereof with the officer, and shall at the same time balance the said account, by hides or skins, or pieces of hides or skins, vellum or parchment, for which the duty shall then have been charged, as aforesaid, and by such hides and skins, and pieces of hides and skins, vellum and parchment, then remaining in his possession unmarked, for which the duty shall not have been charged, as aforesaid; which account (if demanded) every such tanner, tawer, dresser, or maker, shall truly and faithfully make, from time to time, under the penalty of fifty pounds, to wit, one moiety thereof to the Queen, and the other moiety to him or them who will inform or sue for the same; and that every such officer, upon the taking of every such account, shall inform himself concerning the truth or falshood thereof, to the end and purpose, that if such tanner, tawer, dresser, or maker, shall have unlawfully conveyed away any of the said hides or skins, or pieces of hides or skins, vellum or parchment, contrary to this act, or shall have defrauded her Majesty, her heirs or successors, of any part of the duties hereby payable for the same, he may be proceeded against in such manner and form, and for such penalties or forfeitures, as are by this act prescribed for such offence.

on penalty of
50^l.

XXVIII. Provided always, and be it further enacted and declared by the authority aforesaid, That all and every collar-makers, gloves, bridle-cutters, and others, who dress any skins or hides, or pieces of skins or hides, in oil, allom, and salt, or meal or with other ingredients, and who cut and make the same into wares, shall be accounted tawers or dressers within this act, and shall be subject to such rules and directions, and under such penalties and forfeitures for securing the duties of the hides and skins, or pieces of hides and skins; which they shall so dress, as are by this act prescribed in that behalf, and shall be charged with the duties for the same, (by weight, tale, or *ad valorem*, as this act in the respective cases doth direct) before such hides and skins, or pieces of hides and skins, shall be respectively cut or converted into made wares.

Collar makers, &c. who dress skins, to be accounted tawers.

XXIX. And whereas several tanners, tawers, dressers, carriers, sellers of hides or skins, or pieces of hides or skins, tanned, tawed, or dressed, shoemakers, coach-makers, collar-makers, bridle-cutters, saddlers, trunk-makers, bottle-makers, merchants, and other dealers in hides or skins, tanned, tawed, or dressed, and several makers of vellum and parchment, stationers, book-binders, the commissioners and officers for the duties on stamp vellum, parchment, and paper, and other traders or dealers in vellum or parchment respectively, have, or may have, on the four and twentieth day of June, one thousand seven hundred and eleven, several stocks or quantities of such hides and skins, and

Stock in hand,
on 24 June,
1711, to pay
one half part
of the duty.

and pieces of hides and skins, tanned, tawed, or dressed, (not made into wares) and several stocks and quantities of vellum and parchment, all which are respectively of the produce of Great Britain, or imported into the same; be it further enacted by the authority aforesaid, That all and every such tanner, tawer, dresser, currier, seller, shoe-maker, coach-maker, trunk-maker, bottle-maker, merchant, and other dealer in such hides or skins, and all and every such makers of vellum and parchment, commissioners and officers of the stamp duties, stationers, book-binders, and other traders and dealers in vellum and parchment, having, on the said four and twentieth day of *June*, one thousand seven hundred and eleven, in his, her, or their custody or possession, or in the custody or possession of any other person or persons, for his, her, or their use, benefit, or account, any stock or quantity of such hides or skins, or pieces of hides or skins, tanned, tawed, or dressed, (not made into wares) or any stock or quantity of vellum or parchment, within the realm of *Great Britain*, being for sale, shall yield and pay to her Majesty for the same, so much money as one half part of the rates or duties by this act imposed on the like respective commodities to be tanned, tawed, dressed or made in *Great Britain*, or to be imported into the same after the commencement of this act, shall amount unto; the said half part for the said stocks to be paid within three months after the said four and twentieth day of *June*, one thousand seven hundred and eleven.

Tanners, &c.
by 20 July,
1711, to deli-
ver to the of-
ficer a particu-
lar of their
stock.

XXX. And to the end the said stocks may be known and discovered, and the said rates for the same may be ascertained and answered; be it further enacted by the authority aforesaid, That all and every the said tanners, and others before-mentioned, shall deliver or cause to be delivered, on or before the twentieth day of *July*, one thousand seven hundred and eleven, to the proper officer to be appointed in this behalf, a particular in writing, signed by themselves, or their appointments, of their several stocks before-mentioned, describing the whole quantities of each kind, as follows; that is to say, by the weight and tale of such of the said commodities as are to be charged with the said duty by weight, and by the tale of such of the said commodities as are to be charged with the said duties by tale only, and by the quantities and values of such of the said commodities in the said stock, as are by this act to pay duty *ad valorem*, and shall verify the said particular upon oath, to the best of his knowledge and judgment; which oath shall and may be administered by any justice of the peace, or by the collector or supervisor for the said duties: and the said officers to be appointed to this purpose, are hereby authorized and empowered to enter into any shops, warehouses, or other places whatsoever, where any such stock shall be or remain, there to view the same, and to take an account thereof: and all and every the said person or persons chargeable, as aforesaid, for their respective stocks, shall be obliged, by force and virtue of this act, if thereunto required, to permit and suffer the proper officer to make such entrance and view, as aforesaid;

Officers may
enter into
shops, &c to
view stock.

said; and if any such person or persons shall refuse to permit or suffer such officer to enter into their shops, ware-houses, or other places, (if thereunto required) there to view the said stock, as aforesaid, or any part thereof, then every such person, for such refusal, shall forfeit the sum of fifty pounds; one moiety thereof to the Queen, and the other moiety to him or them who will inform or sue for the same.

Refusal to permit them, forfeits 50 l.

XXXI. And it is hereby enacted, That the collector, upon the receipt of any such duties for stock, shall give a receipt for the same, gratis; and in case such duties for stock shall not be paid on or before the four and twentieth day of *September*, one thousand seven hundred and eleven, or if before that time the same be not secured to be paid on or before the four and twentieth day of *December*, one thousand seven hundred and eleven, (which security the proper officers are hereby impowered to take by bond in her Majesty's name, and to her use) then such officer or officers shall and may, by virtue of this act, levy such duties for the said stock that shall not be paid or secured, by distress of the goods and chattels of the person or persons, bodies politick or corporate, liable thereunto, and for non-payment may sell such distress within ten days, rendring the overplus (if any be) to the owner, after satisfaction of the duty and charges of the said distress.

Collector to give a receipt gratis.

Stock not paid for by 24 Sept. 1711. or secured, to be levied by distress and sale.

XXXII. Provided always, That if any such person or persons chargeable for such stock, shall pay, or cause to be paid, his or their duties for the same, within the said space of three months, he, she, or they shall be allowed for such prompt payment, after the rate of ten pounds *per centum per annum* for every sum so advanced.

Discount for prompt payment.

XXXIII. And be it enacted by the authority aforesaid, That in case any of the said tanners, tawers, dressers, curriers, sellers, shoe-makers, coach-makers, collar-makers, bridle-cutters, merchants, trunk-makers, bottle-makers, and other dealers in hides or skins, tanned, tawed, or dressed, or any of the said makers of vellum and parchment, commissioners, officers, stationers, book-binders, and other traders or dealers in vellum and parchment, having on the said four and twentieth day of *June*, one thousand seven hundred and eleven, in his, her, or their custody or possession, or in the custody or possession of any other person or persons for his, her, or their use, benefit, or account, any such stock, as aforesaid, shall neglect to give a particular of the same in such manner and form, as aforesaid, on or before the twentieth day of *July*, one thousand seven hundred and eleven, or shall wittingly or willingly omit or leave out of the same any part of his, her, or their said stock, to the intent to defraud her Majesty, or shall fraudulently remove, carry away, or conceal his, her, or their said stock, or any part thereof, before her Majesty's duties thereupon shall be paid or secured, as aforesaid, then and in every such case, he, she, or they, so offending, for every such offence shall forfeit the sum of fifty pounds, to wit, one moiety thereof to the Queen, and the

Persons not giving a just particular of their stock, to forfeit 50 l. and their concealed stock.

the other moiety to him or them who will inform or sue for the same; and in all and every such case and cases, the stock or quantity of hides or skins, and pieces of hides and skins, vellum and parchment, for which no such particular shall have been given, or which shall be fraudulently omitted out of the same, or which shall be so concealed or carried away before her Majesty's duties shall be paid or secured, shall be forfeited, and shall and may be seized by any of her Majesty's officers, as aforesaid, for her Majesty's use

After duty for stock is paid, hide, &c. to be marked.

XXXIV. And it is hereby further enacted by the authority aforesaid, That from and after the duties of the said stock of any hides or skins, or pieces of hides or skins, vellum and parchment, shall be paid or secured, as aforesaid, the officer or officers for the said duties shall cause every such hide or skin, and every piece of a hide or skin, and all vellum and parchment, whereof the duty shall be so paid or secured, as aforesaid, to be marked with such distinct mark as this act directs to be provided and used to denote the paying or securing such duty, as aforesaid

No fee for entries, &c.

XXXV. Provided always, and be it further enacted by the authority aforesaid, That no fee or reward shall be had or taken by any of the said officers, from any of the said tanners, tawers, curriers, dressers, buyers, or sellers of hides or skins, or others, for any entries, accounts, permissions, certificates, marks, or receipts, before in this act mentioned, or any of them, under the penalty of five pounds to be forfeited to the party grieved, for every such offence

Two justices may hear and determine.

XXXVI. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for any two or more of the justices of the peace, for the time being, residing near to the place where any forfeiture upon this act shall be incurred, or any offence against this act shall be committed, in any wise relating to the said hides or skins, or pieces of hides or skins, vellum or parchment, chargeable by this act, or any the duties thereupon, or the powers and authorities hereby granted, or where any offence shall be committed against the said recited act of the first year of the reign of King James the First, to hear and determine the same which said justices of the peace are hereby authorized and required, upon any information exhibited, or complaint made in that behalf, within three months after any seizure made, or such offence committed, to summon the party accused, and also the witnesses on either side, and upon the appearance or contempt of the party accused, in not appearing, (upon proof of notice given) to proceed to the examination of the witness or witnesses upon oath, (which oath they are hereby empowered to administer) and to give judgment or sentence accordingly, and where the party accused shall be convicted of the offence alledged against him, to award and issue warrants under their hands for the levying any pecuniary penalty or penalties adjudged, on the goods of the offender, and to cause sale to be made thereof, in case

2 Jac. 1 c. 22

case they shall not be redeemed within six days, sending the party the overplus (if any): and if either party shall find himself aggrieved, or remain unsatisfied in the judgment of the said justices, then he or they shall or may, by virtue of this act, complain or appeal to the justices of the peace at the next general quarter-sessions for that county, riding, or place, who are hereby impowered to summon and examine witneffes upon oath, and finally to hear and determine the same, and, in case of conviction, to issue warrants for levying the penalties, as aforesaid.

Appeal to quarter sessions final.

XXXVII. Provided nevertheless, That it shall and may be lawful to and for the said respective justices, where they shall see cause, to mitigate or lessen any such penalties, in such manner as they in their discretion shall think fit, the reasonable cost and charges in the officers, as well in making the discovery, as in the prosecution of the same, being always allowed over and above such mitigation, and so as such mitigation do not reduce the penalties to less than one fourth part thereof, over and above the said costs and charges; any thing contained in this act to the contrary notwithstanding.

Justices may mitigate penalties.

XXXVIII. Provided always, and it is hereby enacted, That such commissioners or persons as shall be appointed in pursuance of this act to be the commissioners for the said duties upon hides and skins, tanned, tawed, or dressed in *Great Britain*, shall and may have and exercise the same jurisdiction, power, and authority, and shall and may adjudge, determine, mitigate, and order in all cases and matters relating to the said duties on hides and skins, and pieces thereof, tanned, tawed, or dressed in *Great Britain*, and to the said duties on vellum and parchment, made in *Great Britain*, as the commissioners of excise upon beer, ale, and other liquors may, or lawfully can exercise, adjudge, determine, mitigate, or order, in the like cases and matters relating to the said duties of excise, by any law or statute now in force.

Commissioners to have the same power as the commissioners of excise.

XXXIX. And to the end that all and every person and persons, who shall export any hides, or calve-skins, tanned, tawed, or dressed, which shall have been duly marked with such mark or stamp, as aforesaid, denoting the charging of the duty payable by this act for the same, as aforesaid, (any hides or calve-skins, being part of the said stock in hand always excepted) and that all and every person and persons, who shall export any boots, shoes, gloves, or other manufactures, made of any kind of leather chargeable by this act to pay a duty by weight, may respectively upon the exportation of such hides or calve-skins, or any such made wares as are last mentioned, receive such respective allowances as are herein after expressed; be it further enacted by the authority aforesaid, That upon the shipping of any such hides or calve-skins, (except before excepted) or any of the made wares last mentioned, for exportation into foreign parts, and upon sufficient security to be first given to the customer or collector of the customs of the port from whence

Matters in this section farther provided for by 10 Annæ, c. 26. f. 5 & 6.

On exportation of hides or calve skins, or leather manufactures, on security, &c. such Customer, &c.

to give the exporter a certificate of the kinds, quantities, and weight.

For the drawback on tanned leather exported. See 12 Annæ, stat. 2. c. 9. s. 64.

On producing such certificates, collector, &c. to repay two thirds of the duties.

Such repayment to be made, though the mark to denote the charging of the duty, do not appear on such made-wares.

Such goods reloaded, forfeited, and treble the value.

such exportation shall be made, (which security they have hereby power to take, in the name, and to the use of her Majesty, her heirs and successors) that such hides, calve-skins, and such made wares last before mentioned, so shipped, or any part thereof, shall not be reloaded or brought on shore again, in any port or part of *Great Britain*, the said customer or collector shall give to the exporter thereof a certificate or debenture in writing of the kinds and quantities and weight of the hides, calve-skins, and such made wares so exported, for which security shall have been given, as aforesaid.

XL. And it is hereby enacted, That upon producing such certificate or debenture for any quantity of such hides or calve-skins so exported, to the collector of the said duties at the port where the said hides or calve-skins shall be exported, in every such case the same collector shall forthwith, out of the monies in his hands for her Majesty's use of the same duties, and in default thereof, then the commissioners for the same duties shall repay or cause to be repaid to the person or persons who shall produce such certificate or debenture from the said customer or collector of the port aforesaid, two thirds of the duties which were before charged for the said hides or calve-skins so exported, or shipped to be exported, as aforesaid (such hides and calve-skins as shall have been charged as stock in hand, as aforesaid, always excepted).

XLI. And it is hereby further enacted, That upon producing a certificate or debenture of the said customer or collector of such port, as aforesaid, of any quantity of such boots, shoes, gloves, or such other manufactures as are before described or mentioned, which shall be so shipped to be exported for foreign parts, to the commissioners who shall be appointed for the management of the said duties upon leather, or to the collector of the same duties at the said port of exportation, in every such case the said commissioners, or such collector, shall out of the monies which shall be in his or their hands of the said duties by this act granted, pay to the person or persons who shall bring such certificate or debenture of the said customer or collector of the port, in allowance after the rate of two thirds of the duty which by this act was chargeable by weight upon the leather of which such boots, shoes, gloves, or other manufactures shall have been made, although the mark or stamp to denote the charging or payment of the duty cannot or do not appear upon such made wares respectively; any thing herein contained to the contrary notwithstanding.

XLII. And it is hereby further enacted, That if any hides, calve-skins, boots, shoes, gloves, or other manufactures of leather, shipped to be exported, as aforesaid, shall be reloaded or put on shore again within *Great Britain*, the same, and treble the value thereof, shall be forfeited, to wit, one moiety thereof to the Queen's majesty, and the other moiety to such person or persons who will seize, inform, or sue for the same.

XLIII. Provided always, That no wares made of hides or skins

skins shall be entitled, by this act, to any drawback its made Goods carried only, not entitled to a drawback.
 wares, in respect only of their being curried or dressed by the
 currier; any thing in this or any former act contained to the
 contrary notwithstanding.

XLIV. And be it further enacted by the authority aforesaid, Commissioners of customs to provide stamps for hides, &c. imported.
 That the respective commissioners of her Majesty's customs in
Great Britain, shall on or before the four and twentieth day of
June, one thousand seven hundred and eleven, provide such
 and so many marks or stamps of the same kind, with which all
 the hides and skins, and pieces of hides and skins imported, as
 aforesaid, during the continuance of this act, shall be markt or
 stamp, upon payment of the duties thereof, as aforesaid; and
 shall cause the said marks or stamps to be distributed amongst
 the respective officers of the customs for that purpose; and that
 the respective commissioners to be appointed for managing the
 said duties upon hides and skins tanned, tawed, or dressed in
Great Britain, and the said duties upon vellum and parchment
 made in *Great Britain*, shall, on or before the said four and
 twentieth day of *June*, one thousand seven hundred and eleven,
 provide such and so many marks or stamps of one and the same
 kind, (but differing from the marks or stamps last before men-
 tioned) with which all the hides and skins, and pieces of hides
 and skins tanned, tawed, or dressed in *Great Britain*, and all
 the vellum and parchment made in *Great Britain*, during the
 continuance of this act, upon the charging of the said respective
 duties for the same, shall be stamped and marked; and also so
 many stamps and marks of one other kind, with which all the
 flock of hides and skins, and pieces of hides and skins, and all
 vellum and parchment in *Great Britain*, on the said four and
 twentieth day of *June*, upon payment or securing the said duties,
 as aforesaid, shall be stamped or marked; and shall cause the
 said respective marks or stamps to be distributed to the respective
 officers for the several purposes before mentioned; which offi-
 cers are hereby enjoined and required in using the same, to do
 no hurt or damage, or the least damage that may be, to the hide
 or skin, or the piece of an hide or skin, or to the vellum or
 parchment so to be marked; and the said respective commis-
 sioners, in providing the said respective marks or stamps, shall
 take care that they be so contrived, that the impression thereof
 may be durable, and so as the same may be least liable to be
 forged or counterfeited; and that the said marks and stamps, or
 any of them, shall or may be altered or renewed, from time to
 time, as her Majesty, her heirs or successors, shall think fit;
 and if any person or persons whatsoever, shall at any time or
 times hereafter, counterfeit or forge any stamp or mark, to re-
 semble any stamp or mark which shall be provided or made in
 pursuance of this act, or shall counterfeit or resemble the im-
 pression of the same upon any hide or skin, or piece of any hide
 or skin, or any vellum or parchment, thereby to defraud her
 Majesty, her heirs or successors, of any of the said duties here-
 by granted, or shall utter, vend, or sell any hide or skin, or
 piece

Commissioners of this duty to provide stamps for hides, &c. tanned, &c. in Great Britain.

and stamps to mark stock in hand.

Officers not to damage the hides, &c. in marking.

Stamps to be durable, &c.

Forging stamps, &c. felony.

piece of any hide or skin, vellum or parchment, with such counterfeit mark or impression thereupon, knowing such mark or impression to be counterfeited, then every such person so offending, being thereof convicted in due form of law, shall be adjudged a felon, and shall suffer death as in cases of felony, without benefit of clergy.

Commissioners and subordinate officers to be sworn.

XLV. And it is hereby provided and enacted by authority aforesaid, That every person who shall be appointed a commissioner for the duties last mentioned, and every subordinate officer under the said commissioners, who shall receive any salary or allowance in respect of his office, shall, before his acting in his respective trust, take an oath for his due and faithful execution of the same, according to this act; which oath shall and may be administered to any such commissioner by any other person who shall be appointed a commissioner, as aforesaid, and to the said officers respectively by any one of the said commissioners, or by one justice of the peace, who shall give to the officer a certificate thereof, gratis.

Pates and tails to pay 25 l. per centum ad valorem, and not to be marked.

XLVI. Provided also, and it is hereby enacted and declared by authority aforesaid, That such small pieces as have been commonly called pates and tails, and are tanned after they are cut off from the hides, shall not be charged with the said duty to be paid by weight, but shall be chargeable with the said duty of fifteen pounds *per centum ad valorem*, to be paid before they be removed from the place of drying or keeping the same; and that the collector, upon receiving the said duty *ad valorem*, for such pates and tails, shall give an acquittance expressing the number thereof, without marking them, or any of them; any thing herein contained to the contrary notwithstanding.

No information to be brought to Westminster in cases cognizable by justices, &c.

XLVII. Provided, and it is hereby declared and enacted by the authority aforesaid, That no bill, plaint, or information shall be brought or sued forth in any of her Majesty's courts of record at *Westminster*, for any offence against this statute, touching or concerning the duties hereby granted, for or upon any hides or skins, or pieces of hides or skins, vellum, or parchment, tanned, tawed, dressed, or made in *Great Britain*, in cases where such offences are by this act cognizable by justices of the peace; nor shall any *Certiorari* be brought or allowed to remove any the proceedings of the justices of the peace relating to the same offences, or any forfeitures or penalties for the same, but that the determination of the justices of the peace in the county where such offence or offences shall be committed, shall, in manner and form aforesaid, be final, to all intents and purposes whatsoever; any thing herein contained to the contrary thereof notwithstanding.

Commissioners and officers liable to the act 9 W. 3. c. 44.

XLVIII. And to the end all the rates and duties by this act granted for and upon such hides and skins, and pieces of hides and skins, made wares, vellum and parchment, as are above-mentioned, may be duly and certainly raised, and the same (except the necessary charges of raising and managing the said duties, and otherwise in execution of this act) may be justly and duly

duly brought into the said receipt of Exchequer, according to the true meaning hereof; it is hereby further enacted by the authority aforesaid, That, from time to time, during the continuance of this act, there shall be appointed such and so many commissioners and officers, as shall be proper and necessary for managing, raising, collecting, and paying the said rates and duties upon hides and skins, and pieces of hides and skins, vellum and parchment, chargeable by this act, and for keeping and rendering the accounts of the same; and that the respective commissioners and officers concerned therein, shall perform their several duties, in relation to the premises, as to them respectively shall appertain, under such and the like penalties, forfeitures, and disabilities, for any offence or neglect therein, or for detaining, diverting, or misapplying any part of the monies arising by the said rates and duties, as are prescribed, and to be inflicted, by virtue of an act of parliament made and passed in the ninth year of the reign of his late majesty King William the Third, intituled, *An act for raising a sum not exceeding two millions, upon a fund for payment of annuities, after the rate of eight pounds per centum per annum, and for settling the trade to the East Indies*, for the like offence or neglect, relating to the duties thereby granted or referred unto, or for detaining, diverting, or misapplying any part of the monies which were granted or appropriated by the act last-mentioned. 9 W. 3. c. 44.

XLIX. And be it further enacted by the authority aforesaid, That no commissioner, officer, or other person, concerned or employed in the charging, collecting, receiving, or managing any of the duties granted by this act, shall, by word, message, or writing, or in any other manner, endeavour to persuade any elector to give, or dissuade any elector from giving his vote for his choice of any person to be a knight of the shire, commissioner, citizen, burgess, or baron, for any county, city, borough, or cinque port; and every officer or other person offending therein, shall forfeit the sum of one hundred pounds; one moiety thereof to the informer, the other moiety thereof to the use of the poor of the parish or place where such offence shall be committed, to be recovered by any person that shall sue for the same, by action of debt, bill, plaint, or information, in any of her Majesty's courts of record at *Westminster*, or in the court of *Exchequer* in that part of *Great Britain* called *Scotland*, in which no essoin, protection, privilege, or wager of law, or more than one imparlance, shall be allowed; and every person convicted on any such suit shall thereby become disabled and incapable of ever bearing or executing any office or place of trust whatsoever under her Majesty, her heirs or successors. Commissioners, officers, &c. not to intermeddle with elections. Made perpetual, 3 Geo. 1. c. 7.

CAP. XII.

An act for laying a duty upon hops.

MOST gracious Sovereign, we your Majesty's most dutiful and loyal subjects, the commons of *Great Britain* in parliament assembled, for the better enabling your Majesty For the appropriation of the surplus arising from this act,

see 9 Annæ,
c. 23. s. 85.
*Made perpetu-
al.* 1 Geo. 1.
stat. 2. c. 12.

From 1 June,
1711. for 4
years, hops
imported to
pay 3d. per
pound weight.

British hops
rd. per pound
weight.

Imported hops
landed before
entry, &c.
forfeited, or
the value.

to support the publick credit, and for other your M^{ty} such most necessary occasions, have cheerfully and unanimously mark and granted, and do by this act give and grant to your M^{ty} of such several and respective duties; for and upon all hops to be imported into *Great Britain*, and for and upon all hops growing or to grow within the same, as are herein after mentioned, for and during the term herein after expressed; and do most humbly beseech your Majesty, that it may be enacted; and be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by authority of the same, That there shall be raised, levied, collected, and paid, unto and for the use of her Majesty, her heirs and successors, for and upon all hops which, at any time or times within or during the term of four years, to be reckoned from the first day of *June*, one thousand seven hundred and eleven, shall be imported or brought into the kingdom of *Great Britain* (over and above all other customs, subsidies, and duties imposed upon or payable for the same) the sum of three pence for every pound weight *averdupois*, and after that rate for a greater or lesser quantity; the said duty for and upon all imported hops to be paid down in ready money by the importers thereof before the landing of the same respectively; and for and upon all hops growing or to grow in *Great Britain*, which at any time or times within or during the said term of four years, shall be cured and made fit for use, the sum of one penny for every pound weight *averdupois*, and after that rate for a greater or lesser quantity; the said duty for and upon the said hops of the growth of *Great Britain*, to be paid by the respective owners or possessors thereof, from time to time, within six months after such hops respectively shall be cured, and shall or ought to be put into bags, as is herein after mentioned and required.

II. And be it enacted by the authority aforesaid, That in case any of the said imported hops shall be landed or put on shore out of any ship or vessel, before due entry be made thereof at the custom-house, in the port or place where the same shall be imported, and before the said duties by this act charged or chargeable thereupon, shall be duly paid, or without a warrant for the landing or delivering the same, first signed by the commissioners, collectors, or other proper officer or officers of the customs respectively, that all such imported hops, of what kind soever as shall be so landed and put on shore, or taken out of any ship or vessel, contrary to the true meaning hereof, or the value of the same, shall be forfeited, and shall and may be seized or recovered of the importer or proprietor thereof, to wit; one moiety of the same to the use of her Majesty, her heirs and successors, and the other moiety to the use of such person or persons as will seize, inform, or sue for the hops so imported and forfeited, or the value thereof, in any of her Majesty's courts of record at *Westminster*, or in her Majesty's court of *Exchequer*

duly bro^{ught} in *Scotland*, by action, bill, suit, or information, where-
the true join, protection, or wager of law shall be allowed.

And be it further enacted by the authority aforesaid, ^{How these du-}
that the said duties upon imported hops by this act granted, ^{ties shall be}
during the continuance thereof, shall be ascertained, secured, ^{levied.}
raised, uplifted, levied, recovered, and answered, for the uses
and purposes in this act expressed, by such rules, ways, means,
and methods, and under such penalties and forfeitures, and in
such manner and form, as the present duties upon hops import-
ed, or any of them, are by any law or statute now in force to
be ascertained, secured, raised, uplifted, levied, recovered, or
answered, during the continuance thereof respectively.

IV. And be it enacted and declared by the authority aforesaid, ^{Hops import-}
That such of the duties imposed by this act upon imported hops, ^{ed to be under}
as shall arise in *England*, *Wales*, and the town of *Berwick* upon ^{the manage-}
Tweed, shall be under the management of the commissioners ^{ment of the}
and officers of the customs in *England* for the time being; and ^{commission-}
such of the duties imposed by this act upon imported hops as ^{ers of cu-}
shall arise in *Scotland* shall be under the management of the com- ^{stoms :}
missioners and officers of the customs in *Scotland*, for the time
being; and that the respective receivers general of the customs in
England and *Scotland* for the time being, shall, from time to time,
pay or cause to be paid all the monies that they respectively shall
receive of the said duties for imported hops (the necessary charges
of raising and accounting for the same excepted) into the receipt
of her Majesty's Exchequer in *England*, distinctly and apart from
all other branches of the publick revenues, for the purposes in
this act expressed, and under the like penalties, forfeitures, and
disabilities, as are to be inflicted by this act, for diverting or mis-
applying any monies by this act appropriated or appointed for the
purposes herein after mentioned.

V. And for the better ascertaining, charging, collecting, ^{British hops to}
levying, raising, uplifting, and securing the several rates and ^{be under the}
duties by this act set and imposed upon all sorts of hops of the ^{commission-}
growth of *Great Britain*, which shall be cured, and which shall ^{ers of excise.}
or ought to be bagged within or during the term aforesaid, ac-
cording to the true meaning of this act, and for preventing of
frauds concerning the same; be it further enacted by the au-
thority aforesaid, That such of the same rates and duties by this
act granted, as are or shall be chargeable upon such hops of the
growth of *England*, *Wales*, or the town of *Berwick* upon *Tweed*,
shall be under the management of the commissioners and offi-
cers of excise in *England* for the time being; and such of the
duties as are imposed by this act on hops of the growth of *Scot-*
land, shall be under the management of the commissioners and
officers of excise in *Scotland* for the time being; and that all the
monies arising by the said duties on hops of the growth of *Great*
Britain (the necessary charges of raising and accounting for the
same excepted) shall be paid into the receipt of her Majesty's
Exchequer in *England*, distinctly and apart from all other
branches of the publick revenues, for the purposes in this act
expressed, and under the like penalties, forfeitures, and disabi-

ities as are to be inflicted by this act, for diverting or misapplying any the monies by this act appropriated or appointed, as is herein after mentioned.

Planters to give notice to the proper officer by 1 Aug. 1711. of their hop grounds, &c.

and afterwards yearly,

on forfeiture of 40 s. an acre.

Notice to be given at the next market town, and officer to enter it in 5 days, on penalty of 40 s.

No oust, store-house, &c. to be used without notice, on penalty of 50 l.

VI. And it is hereby enacted by the authority aforesaid, That all and every person and persons whatsoever, who, on or before the first day of *August*, in the year of our Lord one thousand seven hundred and eleven, shall have any hops planted or growing within or upon any ground whatsoever in *Great Britain*, for sale or not for sale, shall, on or before the same first day of *August*, one thousand seven hundred and eleven, give or send notice in writing under his, her, or their hands, at the office of excise next to the place, or to the officer for the said duties of the district, where such hops are or shall be planted or growing, of all the hop grounds then in his, her or their possession, and of the name or names of the parish, township, or place, parishes, townships, or places, wherein the same do lie, and the name or names of the owners, tenants, or occupiers thereof respectively; and that from and after the said first day of *August*, one thousand seven hundred and eleven, during the continuance of the said duties upon hops, all and every person and persons whatsoever, who shall plant or cause to be planted, or shall have growing any hops upon any ground whatsoever in *Great Britain*, for sale or not for sale, shall yearly, on or before the first day of *August* in every year, give or send like notice of all the hop grounds wherein any hops shall be growing in every such year; and if any person or persons, who shall plant, or cause to be planted or grow, any hops within or upon any ground whatsoever in *Great Britain*, shall neglect to give or send such notice in writing, of his, her, or their hop grounds, as aforesaid, within such time as is before-mentioned, contrary to the true meaning of this act; then, and in every such case, the offender therein, for every such offence, shall forfeit and lose the sum of forty shillings, for every acre, by estimation, of such ground, and after that rate for a greater or lesser quantity.

VII. Provided always, That the person or persons, who are to give such notice, as aforesaid, shall not be obliged, for the doing thereof, to go or send farther than the next market town to the place where the said hops shall be planted or growing; and the officer who shall receive the said notice shall, within five days after such notice shall be given or sent to him, from time to time, enter the same in a book to be kept at the said next office for that purpose, upon pain of forfeiting, for every neglect therein, the sum of forty shillings to the party whose notice shall not be so entered.

VIII. And be it further enacted by the authority aforesaid, That no person or persons whatsoever, shall at any time or times, from and after the first day of *August*, one thousand seven hundred and eleven, during the continuance of the said duties upon hops, make use of any oust, store-house, or other place, or of any kiln, for curing or keeping of hops; chargeable with any of the duties aforesaid, unless notice of such oust, store-house,

house, place, or kiln, shall have been before given, or sent in writing, as aforesaid, upon pain of forfeiting the sum of fifty pounds for every offence.

IX. And it is hereby further enacted by the authority aforesaid, That all such hops as in any year, during the continuance of this act, shall grow in *Great Britain*, as aforesaid, shall by the respective owners or planters thereof, within six weeks after the gathering or picking of the same, be brought to be cured and bagged at such oults, or other places to be notified, as aforesaid, and none other, upon pain of forfeiting the sum of five shillings for every pound weight of the said hops, which shall not be so brought, cured, and bagged, as aforesaid.

Hops in 6 weeks after gathering to be brought to such oult, &c. on pain of 5 s. per pound.

X. And be it further enacted by the authority aforesaid, That the respective planters or owners of the said hops to grow in *Great Britain*, or their agents, before the bagging of the same, shall give or send notice in writing under his or their hands to the next office of excise, or to the proper officer for the said duty, of the precise day or time on which he, she, or they shall bag his, her, or their hops: which notice, as to such hops as shall be bagged within the first week after the planter or owner first begins to bag his hops, shall be given or left at least four and twenty hours before every day's bagging of the same; and as to the remainder of his hops for that year shall be given or left at least eight and forty hours before every day's bagging of the said remainder, to the end some one or more of her Majesty's sworn officers of excise may (without his or their own wilful neglect or default) be present at the bagging, weighing, and marking of the same, as are herein after prescribed, under pain of forfeiting the sum of fifty pounds for every neglect or default of any such planter or owner, in not giving or sending such notice, as aforesaid.

Notice to be given of bagging of hops, &c. on penalty of 50 l.

XI. And be it further enacted by the authority aforesaid, That the proper officer of excise for the district in which the said hops shall grow, or some other sworn officer of excise, by appointment of the commissioners of that revenue, shall attend and be present at the bagging of every parcel of such hops, as aforesaid, and at the weighing of the same, and shall cause the true weight of every bag or pocket of the said hops, great or small (such tare of the bag as is allowable by this act only excepted) to be plainly and visibly marked in one or more places upon every bag of the said hops; and shall then also cause an entry of the said weight (the tare being abated) to be made in his book, and shall thereof make return or report in writing to the respective commissioners of excise, or such as they shall respectively appoint to receive the same, leaving a true copy (if demanded) of such report in writing under his hand, with or for such planter or owner respectively; and such return or report of the said officer or officers shall be a charge upon the said planters or owners respectively; and if the said officer or officers shall refuse or neglect to give or leave a true copy of such report in writing, with or for such planters or owners respectively,

Officer to attend the bagging and weighing, and mark the weight on the bag, and make entry and return accordingly.

A copy of the return to be left with the planter.

Officer not leaving return, forfeits 5 l.

at the time of taking such account (upon demand, as aforesaid) every such officer for such offence shall forfeit and pay the sum of five pounds to every such planter or owner respectively.

Officer to be sworn,

XII. Provided always, That every officer, who shall be empowered to make such charge, as aforesaid, shall, in the first place, be sworn to the due and faithful execution of his office; and the oath in that behalf shall and may be administered by all or any of the commissioners of excise, or by any of her Majesty's justices of the peace, who shall give to such officer a certificate thereof.

10 l. per cent allowed for tare of the bag.

XIII. Provided always, and it is hereby declared and enacted, That an allowance after the rate of ten pounds *per centum*, shall be made upon the weight of every bag or pocket of the hops to be weighed, as aforesaid, great or small, for the tare of the same bag; any thing herein contained to the contrary notwithstanding.

Planters to clear off in 6 months.

XIV. And be it further enacted by the authority aforesaid, That all and every person and persons whatsoever, who shall be the planters or owners of the said hops, shall, within six months after the time in which every parcel of the said hops shall or ought to be cured, bagged, and weighed, as aforesaid, pay and clear off all the said duties of hops, of the growth of *Great Britain*, that shall be due from him, her, and them respectively; and that all and every such planters and owners, who shall refuse or neglect to make such payment, as aforesaid, shall forfeit and lose to her Majesty, for every such offence, double the sum of the said duty, whereof the payment shall be so refused or neglected, that is to say, two third parts of the said double duties to the use of the Queen, and the other third part to the use of the informer or prosecutor.

Officer may enter any oust, &c. to view, &c. on pain of 20 l.,

XV. And be it further enacted by the authority aforesaid, That all and every the officers of the said duty, shall at all times, by day or by night, and (if in the night) then in the presence of a constable, or other lawful officer of the peace, be permitted, upon his or their request, to enter into the oust, store-house, or other place, made use of by any person or persons, within or during the said term, for the growing, curing, or keeping of hops, whereof such notice shall or ought to have been given, as aforesaid, in order to his viewing the same, and discovering any frauds in relation to her Majesty's duties thereupon; and if any planter or owner of hops shall obstruct or hinder any of the said officers in the execution of the powers and authorities given to him or them by this act, for the ascertaining and securing the said duties upon hops, the person or persons offending therein, shall for every such offence forfeit and lose the sum of twenty pounds.

Hops not to be removed before the duty is ascertained, on pain of 50 l.

XVI. And be it further enacted by the authority aforesaid, That no planter or owner of hops, after the said first day of *June*, one thousand seven hundred and eleven, during the continuance of the said duties upon hops, shall (under pain of forfeiting the sum

sum of fifty pounds for every offence) remove, carry, or send away, or suffer to be removed, carried, or sent away, from his, her, or their out, store-house, or other place (whereof notice shall or ought to be given, as aforesaid) any hops chargeable with the duty by this act imposed, until the same shall have been cured, bagged, and weighed, and the duties thereof shall be ascertained according to the true meaning of this act, unless in such cases where the officers of the said duties (having due notice first given or left, as aforesaid) shall nevertheless neglect to attend the bagging and weighing of the same.

XVII. And be it further enacted, That if any planters or owners of hops shall fraudulently hide or conceal, or cause or procure to be hid or concealed, any hops chargeable by this act, to the intent to deceive her Majesty of the just duties by this act granted; that then, and in every such case, the party so offending, shall, for every such offence, forfeit the sum of twenty pounds, and all the hops so concealed and hid, to her Majesty's use.

Fraudulently
concealing
forfeits 20 L.
&c.

XVIII. And whereas great numbers of poor and indigent persons are commonly employed in the gathering and picking of hops, who may clandestinely carry off, and convey such hops from the places where they gather and pick the same, and thereby defraud her Majesty of the duties hereby granted, without the privity or consent of the proprietor of such hops:

Picker of hops
carrying off
any such hops
forfeits 5 s.
per lb. or sent
to hard labour
for a month.

for prevention whereof, be it further enacted by the authority aforesaid, That if any picker or gatherer of hops, or any other person or persons, shall privately carry off, or convey any hops from the place of growing, or the place where the same shall be put in order to be cured, bagged, and weighed, with an intent to defraud her Majesty of her said duties, and the owner of the said hops; then, and in every such case, the person or persons offending therein, shall forfeit and lose the sum of five shillings for every pound of hops so clandestinely carried off and conveyed; and in every such case it shall and may be lawful for the officers of the said duties, not only to seize the hops so clandestinely carried off and conveyed, but also to apprehend the said offender or offenders, and carry him or them before one of her Majesty's justices of the peace of the county or place where such offence shall be committed; and in case the said offence shall be proved before the said justice of the peace, and the offender or offenders shall not forthwith pay down the penalties by this act imposed on such offender or offenders, for the offences so proved on him, her, or them respectively, as aforesaid, and no sufficient distress can be found to levy the same, it shall and may be lawful for the said justice of the peace to commit such offender or offenders to the house of correction, there to be whipt and kept to hard labour, for any time not exceeding one month; and if any person or persons shall ob-

Persons ob-
structing of-
ficer forfeits
5 l. or sent to
hard labour
for a month.

shall,

shall, for every such offence, forfeit and lose the sum of five pounds; and in default of distress, whereby to levy the same, it shall and may be lawful for any of her Majesty's justices of the peace, upon due proof of such offence, to commit such offender or offenders to the house of correction, there to be whipt and kept to hard labour, for any time not exceeding one month.

Hops charge-
able with all
duties in ar-
rear, &c.

XIX. And it is hereby enacted, That all the hops in the custody of any planter or owner of hops, or any other person or persons, to the use of, or in trust for such planter or owner, shall be liable and subject to, and are hereby made chargeable with all the debts and duties for hops in arrear and owing by such planter or owner respectively, and to all penalties and forfeitures incurred by such planter or owner, for any offence against this act; and that it shall and may be lawful in all such cases to levy debts and penalties, and use such proceedings as may lawfully be done by this act, in case the debtor or offender were the true and lawful owner of the same.

Stock in hand
on 1 June, 1711, to pay
the like duties
as the same
hops after
1 June.

XX. And be it further enacted by the authority aforesaid, That for all hops, whether foreign or of *British* growth, which any hop merchant, or other sellers and dealers, factors in hops, or common brewers in *Great Britain*, or any person or persons in trust for him, her, or them, or for his, her, or their use, shall be possessed of, or interested in, upon the said first day of *June*, one thousand seven hundred and eleven, there shall be yielded and paid to her Majesty the like respective rates as are by this act to be paid for the like sorts of hops imported or grown in *Great Britain*, after the said first day of *June*; and that all and every the said hop merchants, sellers, and dealers, factors in hops, common brewers, and all and every other person or persons, who in trust for them, or any of them, or for the use of them, or any of them, shall be possessed of, or have in his, her, or their custody or possession, or in his, her, or their oust, store-house, ware-house, or other place or places whatsoever, upon the said first day of *June*, one thousand seven hundred and eleven, any stock, parcel, or quantity of hops whatsoever, for sale, shall, on or before the said first day of *June*, one thousand seven hundred and eleven, make a true and particular entry thereof at the excise office within the limits of which they shall respectively inhabit, upon pain to forfeit the sum of fifty pounds, and the said hops, for which no such entry shall have been made; and within six days after he, she, or they shall have made or ought to have made such entries, as aforesaid, shall pay down the duties hereby payable for such hops, or within six days shall give security to the proper officers, for paying the same duties to her Majesty's use within three months then next ensuing; and in case the said duties for such stock of hops be paid down within the said six days, then there shall be allowed out of the same duties for such prompt payment an allowance after the rate of ten pounds *per centum per annum*, for the said time of three months; and that all and every

Owners to en-
ter the same at
the next of-
fice on pain of
50l. and for-
feiture of the
hops, &c.

Discount of
10l. per cent.
for prompt
payment.

Every such hop merchant, sellers, and dealers in hops, factors, and common brewers, who shall refuse or neglect to make such payment, or to give such security for payment of the said duties for his, her, or their said stock of hops, within the time by this act limited for that purpose, shall forfeit double the sum of the said duty which should have been so paid or secured by him, her, or them, as aforesaid; and that the proper officers of the said duties shall be permitted to take a true and particular account of all such stock or quantity of hops, as any such hop merchant, or other sellers or dealers in hops, factors, common brewers, or any in trust for them, shall, on the said first day of *June*, one thousand seven hundred and eleven, have, or be possessed of, by weighing the same on the said first day of *June*, one thousand seven hundred and eleven, or afterwards, at any time before the duty last mentioned shall be paid or secured, upon pain of forfeiting twenty pounds, and the value of the hops whereof the officers shall not be permitted to take an account, as aforesaid; and if any person or persons, having on the said first day of *June*, in his, her, or their custody and possession, any stock or quantity of hops, chargeable by this act with the said duty for stock, as aforesaid, shall clandestinely remove or carry away, or cause or suffer to be removed or carried away, the same, or any part thereof, before her Majesty's duties thereupon shall be paid or secured, as aforesaid, or shall fraudulently conceal or hide any part of his, her, or their said stock of hops, that then, and in every such case, or he, she, or they so offending, for every such offence, shall forfeit the sum of twenty pounds; and in all and every such case and cases, the stock or quantity of hops, which shall be so clandestinely removed or carried away, or fraudulently concealed or hid, shall be forfeited, and shall and may be seized by any of the officers for the said duties; and the person or persons in whose custody such stock of hops shall be found, who shall not, before the discovery thereof, give notice at the next office of excise, of the stock or quantity of hops so in his, her, or their custody, shall also forfeit and lose the sum of ten shillings for every pound weight.

Penalty for nonpayment, &c.

Not permitting officer to take account of stock, forfeits 20 l. and the value.

Clandestinely removing hops forfeits 20 l. and hops.

Concealer forfeits 10 s. per lb.

XXI. Provided always, and be it further enacted by the authority aforesaid, That it shall and may be lawful to and for any person or persons, who shall have actually paid her Majesty's duties, by this act payable for any quantity of hops whatsoever of *British* growth, and to and for any other person or persons who shall buy, or be lawfully entitled to any such quantity of hops of *British* growth, from the said person or persons who actually paid her Majesty's duties for the same, to export such hops, being of *British* growth, for *Ireland*, by way of merchandize, giving sufficient security before the shipping thereof for exportation, that the particular quantity of hops, which shall be intended to be exported, as aforesaid, and every part thereof, shall be shipped and exported, and that the same or any part thereof, shall not be reloaded or brought again into any part

British hops, which have paid the duty, may be exported for Ireland, &c.

part or parts of *Great Britain*; which security the customer or collector of the respective ports for such exportation is hereby directed, and authorized to take in her Majesty's name, and to her use: provided always, That if after the shipping of any such hops to be exported, as aforesaid, and the giving or tendering such security in order to obtain the allowance or drawback herein after mentioned, the hops so shipped to be exported, or any of them, shall be relanded in any part of *Great Britain*, then, and in every such case, over and above the penalty of the bond, which shall be levied and recovered to her Majesty's use, all the hops which shall be so landed, or the value thereof, shall be forfeited.

Exporter to make oath, &c.
The drawback on hops exported for Ireland taken off by 6 Geo. 2. c. 11. s. 40.
Collector to give a certificate thereof, and customer, &c. to repay, the duties.

XXII. And it is also hereby enacted, That any person or persons who shall export any hops of *British* growth to or for *Ireland*, shall or may make oath, that he believes the same hops are all of *British* growth, without any mixture of foreign hops, that the duty of such hops hath been paid or secured, according to this act, (which oath the collector, who received the said duty, is hereby required and impowered to administer) and thereupon the said collector for the same duties upon hops shall give to such person or persons, *gratis*, a certificate or certificates, expressing the kinds and quantities of such hops, and the duties paid, or secured to be paid for the same, pursuant to this act; which certificate being produced to the customer or collector of the port where the said hops shall be exported, and oath being also made by the exporter before the said customer or collector of the port, (who is hereby also authorized and required to administer the same without fee or charge) that the hops so exported are the same mentioned in the said certificate, then the said customer or collector shall give to the exporter a debenture, expressing the true quantity of the *British* hops so exported; which debenture being produced to the collector appointed to receive the said duty upon hops in such county or place where the said hops did pay duty, he shall forthwith repay the said duty which he shall have received upon this act to the persons, or their agents, so exporting the same; and if such collector shall not have money in his hands to pay the same, then the said respective commissioners of excise are hereby required to pay the said debenture out of the duties upon hops, arising by this act; or if the duty on such hops so exported were only secured, and shall remain unpaid, then the said duties shall be discharged upon the securities for the same; any thing in this act contained to the contrary notwithstanding.

Rebagging foreign hops in British bags, forfeits 10l. per C. &c.

XXIII. And it is hereby enacted, That no person whatsoever shall, during the continuance of this act, take any hops of foreign growth out of the bags in which they are imported, and rebag the same in *British* bagging, in order to sell, dispose, or export the same as *British* hops, under the penalty of ten pounds for every hundred weight, and after that rate for a greater or lesser quantity; and if any person or persons shall endeavour

deavour to defraud her Majesty of her duties hereby granted, by using twice, or oftner, the same bag, with the officer's mark thereupon, such person or persons, for every such offence, shall forfeit the sum of forty pounds.

XXIV. And in regard it is found by experience, That hops used in the making of malt-drinks are more wholesome for those that drink or consume the same, and of greater advantage to the drink itself, than any other bitter ingredient that can be used instead thereof, it is hereby further enacted by the authority aforesaid, That during the continuance of this act, no common brewer, inn-keeper, or victualler, shall use any broom, wormwood, or any other bitter ingredient (to serve instead of hops) in brewing or making any beer or ale to be brewed or made by him, her, or them, for sale in any part of Great Britain, under the penalty of forfeiting the sum of twenty pounds for every such offence; the infusing of broom or wormwood into beer or ale, by the retailer, after the same is brewed and tunned, to make the same broom or wormwood ale, or broom or wormwood beer, always excepted.

Brewer, &c.
not to use
broom, &c.
on pain of 20l.

Exception.

XXV. And be it further enacted by the authority aforesaid, That all and every the powers, authorities, directions, rules, methods, penalties, forfeitures, clauses, matters and things, which in and by an act made in the twelfth year of the reign of King Charles the Second, intituled, *An act for taking away the court of wards and liveries, and tenures in capite, and by knights service, and purveyance, and for settling a revenue upon his Majesty in lieu thereof*, or by any other law in force relating to her Majesty's revenue of excise upon beer, ale, or other liquors, are provided, settled or established, for managing, raising, levying, collecting, mitigating, or recovering, adjudging, or ascertaining the duties thereby granted, or any of them, (other than in such cases for which other penalties or provisions are made and prescribed by this act) shall be exercised, practised, applied, used, and put in execution, in and for the managing, raising, levying, collecting, mitigating, recovering, and paying the said duties upon hops hereby granted, during the continuance of this act, as fully and effectually to all intents and purposes, as if all and every the said powers, authorities, rules, directions, methods, penalties, forfeitures, clauses, matters and things were particularly repeated and again enacted in the body of this present act.

Powers, &c.
in 12 Car. 2.
c. 24. and
other laws of
excise, to be
in force.

XXVI. And be it further enacted by the authority aforesaid, That all fines, penalties, and forfeitures, in relation to the said duties by this act imposed on hops, except in such cases where other provisions are made by this act, shall and may be sued for, levied, and recovered, or mitigated, by such ways, means, and methods, as any fine, penalty, and forfeiture, is or may be recovered or mitigated by any laws of excise now in force, and not by action of debt, bill, plaint, or information in any of her Majesty's courts of record at Westminster, or in the court of Exchequer in Scotland, and that one moiety of eve-

Fines, &c.
how recovera-
ble.

ry such fine, penalty, and forfeiture (unless in cases otherwise prescribed by this act) shall be to her Majesty, her heirs and successors, and the other moiety to him or them that shall discover, inform, or sue for the same.

No drawback
on foreign
hops for Ire-
land.

Hops import-
ed from Flan-
ders, &c. to
Ireland, for-
feited, and the
ship, &c.
What is to be
done before
hops are land-
ed in Ireland.
1 Geo. 1. stat. 2.
c. 12. s. 6.

XXVII. *And in regard the growth of hops, in several parts of Great Britain, is very much increased of late years, it is hereby further provided and enacted by the authority aforesaid, That none of the duties by this or any former act granted upon any hops whatsoever, (except hops of British growth) shall be paid or drawn back upon the exportation thereof for Ireland; and that no person or persons whatsoever shall import or cause to be imported into the said kingdom of Ireland, from Flanders or any other parts whatsoever, (other than from Great Britain) any hops whatsoever, upon pain of forfeiting all the hops which shall be so imported into Ireland, contrary to the true meaning of this act, or the value of the same, and also of the ship or vessel in which they shall be so imported, with her tackle, apparel, and furniture, that is to say, two third parts thereof to the use of the poor of the parish in Ireland, where such hops shall be seized or discovered, and the other third part thereof to the use of such person or persons as will seize, inform, or sue for the same, or for the value thereof, in any her Majesty's courts of record at Dublin in the said kingdom of Ireland. And it is hereby declared, That the importation of any foreign hops into Ireland, (other than from Great Britain) contrary to the tenor and true meaning of this act, is and shall be adjudged a common nuisance.*

On contracts
before 9 May,
1711. planter
may add the
duty to the
price.

XXVIII. *And whereas standing contracts may have been made before the ninth day of May, one thousand seven hundred and eleven, by planters, hop-merchants, dry salters, and other dealers in hops, for serving of hops to certain persons or societies in Great Britain, to be delivered in point of time after the said first day of June, one thousand seven hundred and eleven; it is hereby enacted, That the person serving such hops, after the said first day of June, one thousand seven hundred and eleven, in pursuance of such former contracts, shall be allowed to add the duties hereby charged upon such hops to the price thereof, and shall be entitled by virtue of this act, to be paid for the same accordingly.*

Commission-
ers, officers,
&c. liable to
the act 9 W.
c. 44.

XXIX. *And to the end all the monies arising by the duties on hops hereby granted, (the necessary charges of raising, paying, and accounting for the same, only excepted) may be duly and certainly raised and brought into the said receipt of Exchequer; it is hereby further enacted by the authority aforesaid, That, from time to time, during the continuance of this act, there shall be appointed such and so many commissioners and officers as shall be proper and necessary for the raising, paying, and accounting for the said duties; and that the same officers respectively shall perform their several duties therein, as to them shall respectively appertain, under such and the like penalties, forfeitures, and disabilities, for any offence or neglect therein,*

or

or for detaining, diverting, or misapplying any part of the said monies, as are preferred and to be inflicted, by virtue of an act of parliament made and passed in the ninth year of the reign of his late majesty King William the Third, intituled, *An act for raising a sum not exceeding two millions, upon a fund for payment of annuities, after the rate of eight pounds per centum per annum, and for settling the trade to the East Indies, for the like offence or neglect relating to the duties upon salt, and upon stampd vellum, parchment and paper, thereby granted or referred unto, or for detaining, diverting, or misapplying any part of the monies which were granted or appropriated by the act last mentioned.*

XXX. Provided always, and it is hereby further enacted by the authority aforesaid, That it shall and may be lawful to and for any person and persons, natives or foreigners, bodies politick or corporate, to advance and lend to her Majesty, at the receipt of her Majesty's Exchequer, upon the credit of the said several rates, duties, and sums of money, by this act granted, and to be raised in the several parts of *Great Britain*, as aforesaid, any sums which shall not exceed in the whole the sum of one hundred and eighty thousand pounds, and to have and receive, for the forbearance thereof, interest after the rate of six pounds *per centum per annum*; and moreover, that no money to be lent upon the security of this act, shall be rated or assessed, by virtue of this act, or any other act of parliament whatsoever.

180,000l. may be borrowed on this act at 6l. per cent. tax-free.

XXXI. And it is hereby further enacted, That all and every person or persons, who shall lend any money upon the credit of this act, and pay the same into the receipt of the Exchequer, shall immediately have a talley of loan struck for the same, and an order for his, her, or their repayment, bearing the same date with his, her, or their tallies; in or upon which order shall be also contained a warrant for payment of interest for the forbearance thereof, at the rate aforesaid, to be paid every three months until repayment of the principal; and that all such orders for repayment of money to be lent, shall be registred in course, according to the dates respectively, without other preference of one before another; and that all and every person and persons shall be paid in course, according as their orders shall stand registred in the said register books, so as the said person, native or foreigner, his executors, administrators, or assigns, who shall have his order or orders first entred in the said respective books of register, shall be taken and accounted the first person to be paid out of the monies to come in by virtue of this act; and he or they who shall have his or their order or orders next entred, shall be taken and accounted to be the second person to be paid, and so successively and in course; and that the monies to come in by this act, of or for the said several rates, duties, and sums of money to be raised in *Great Britain*, as aforesaid, shall be in the same order, liable to the satisfaction of the monies to be lent, as aforesaid, to the re-

Lenders to have tallies and orders,

and paid in course.

No undue
preference.

spective parties, their executors, administrators, successors, or assigns respectively, without undue preference of one before another, and not otherwise; and shall not be diverted or divertible to any other use, intent, or purpose whatsoever; and that no fee, reward, or gratuity, directly or indirectly, be demanded or taken of any her Majesty's subjects, for providing or making of any such books or registers, or any entries, views, or search, in or for payment of money lent, or the interest thereof, as aforesaid, by any of her Majesty's officers or officers, their clerks or deputies, on pain of payment of treble damages to the party aggrieved, by the party offending, with treble costs of suit; or if the officer himself take or demand any such fee or reward, then to lose his place also; and if any undue preference of one before another shall be made, either in point of registry or payment, contrary to the true meaning of this act, by any such officer or officers, then the party offending shall be liable by action of debt, or on the case, to pay the value of the debt, with damages and costs, to the party grieved, and shall be forejudged of his office or place; and if such preference be unduly made by any his deputy or clerk, without directions or privity of his master, then such deputy or clerk only shall be liable to such action, debt, damages and costs, and shall for ever be incapable of his place or office; and in case the auditor of the receipt shall not direct the order, or the clerk of the pells record, or the teller make payment, according to each person's due place or order, as before directed, then he or they shall be adjudged to forfeit, and the respective deputies and clerks herein offending, to be liable to such action, debt, damages, and costs, in such manner, as aforesaid; all which said penalties, forfeitures, damages, and costs, to be incurred by any of the officers of the Exchequer, or any other deputies or clerks, shall, and may be recovered by action of debt, bill, plaint, or information, in any of her Majesty's courts of record at *Westminster*, wherein no essoin, protection, privilege, wager of law, injunction, or order of restraint, shall be in any wise granted or allowed.

Tallies dated
the same day,
no undue pre-
ference:

XXXII. Provided always, and be it hereby declared, That if it happen that several tallies of loan, or orders for repayment, as aforesaid, bear date, or be brought the same day to the auditor of the receipt to be registered, then it shall be interpreted no undue preference which of those be entred first, so as he enters them all the same day.

Nor if subse-
quent orders
be paid before
such as were
not demanded
in court.

XXXIII. Provided also, That it shall not be interpreted any undue preference to incur any penalty in point of payment, if the auditor direct, and the clerk of the pells record, and the tellers do pay subsequent orders of persons that come and demand their monies, and bring their orders, before other persons that did not come to take their monies, and bring their orders in their course, so as there be so much money reserved as will satisfy precedent orders; which shall not be otherwise disposed,

1710.]

Anno nono ANNÆ. C. 13, 14.

147

disposed, but kept for them; interest upon loan being to cease from the time the money is so reserved and kept in bank for them.

XXXIV. And be it further enacted, That all and every person and persons, to whom any money shall be due for loans, may be registered by virtue of this act, after order entred in the book of register, as aforesaid, his executors, administrators, or assigns, by proper words of assignment, to be endorsed and written upon his order, may assign or transfer his right, title, interest, and benefit of such order, or any part thereof, to any other, which being notified in the office of the auditor of the receipts aforesaid, and an entry or memorial thereof also made in the book of registry aforesaid, for orders, which the officers shall, upon request, without fee or charge accordingly make, shall entitle such assignee, his executors, administrators, and assigns, to the benefit thereof, and payment thereon; and such assignee may, in like manner, assign again, and so *toties quoties*, and afterwards it shall not be in the power of such person or persons who have or hath made any such assignments, to make void, release, and discharge the same, or any the monies thereby due, or any part thereof.

Continued by 1 Geo. 1. stat. 2. cap. 2. till the first of August, 1715, and made perpetual by 1 Geo. 1. stat. 2. cap. 12. sect. 5.

CAP. XIII.

An act for the taking, examining, and stating the publick accounts of the kingdom.

Continued by 10 An. c. 8. for one year longer. EXP.

CAP. XIV.

An act for the better preventing excessive and deceitful gaming.

WHEREAS the laws now in force for preventing the mischiefs which may happen by gaming, hath not been found sufficient for that purpose; therefore for the further preventing of all excessive and deceitful gaming, be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by authority of the same, That from and after the first day of May, one thousand seven hundred and eleven, all notes, bills, bonds, judgments, mortgages, or other securities or conveyances whatsoever, given, granted, drawn, or entred into, or executed by any person or persons whatsoever, where the whole or any part of the consideration of such conveyances or securities, shall be for any money or other valuable thing whatsoever, won by gaming or playing at cards, dice, tables, tennis, bowls, or other game or games whatsoever, or by betting on the sides or hands of such as do game at any of the games aforesaid, or for the reimbursing or repaying any money

18 Geo. 2. c. 34.

After 1 May 1711. all notes, &c. mortgages, &c.

where the consideration is for money won by gaming,

or for repayment of money lent at such gaming, &c.

shall be void.

And where such mortgages, &c.

shall incumber

lands,

&c. they shall

devolve to

such person as

should have

been entitled

to them, in

case such

grantor had

been dead, &c.

And all con-

veyances to

hinder such

lands from

devolving, &c.

shall be void.

knowingly lent, or advanced for such gaming or betting, as aforesaid, or lent or advanced at the time and place of such play, to any person or persons so gaming or betting, as aforesaid, or that shall, during such play, so play or bett, shall be utterly void, frustrate, and of none effect, to all intents and purposes whatsoever; any statute, law, or usage to the contrary thereof in any wise notwithstanding; and that where such mortgages, securities, or other conveyances, shall be of lands, tenements, or hereditaments, or shall be such as incumber or affect the same, such mortgages, securities, or other conveyances, shall enure and be to and for the sole use and benefit of, and shall devolve upon such person or persons as should or might have, or be entitled to such lands, tenements, or hereditaments, in case the said grantor or grantors thereof, or the person or persons so incumbering the same, had been naturally dead, and as if such mortgages, securities, or other conveyances, had been made to such person or persons so to be entitled after the decease of the person or persons so incumbering the same; and that all grants or conveyances to be made for the preventing of such lands, tenements, or hereditaments, from coming to or devolving upon such person or persons hereby intended to enjoy the same, as aforesaid, shall be deemed fraudulent and void, and of none effect, to all intents and purposes whatsoever.

The loser of 10l. at cards &c. may sue for the money within three months.

II. And be it further enacted by the authority aforesaid, That from and after the said first day of *May*, one thousand seven hundred and eleven, any person or persons whatsoever, who shall at any time or sitting, by playing at cards, dice, tables, or other game or games whatsoever, or by betting on the sides or hands of such as do play at any of the games aforesaid, lose to any one or more person or persons so playing or betting, in the whole, the sum or value of ten pounds, and shall pay or deliver the same, or any part thereof, the person or persons so losing, and paying or delivering the same, shall be at liberty, within three months then next, to sue for and recover the money or goods so lost, and paid or delivered, or any part thereof, from the respective winner and winners thereof, with costs of suit, by action of debt founded on this act, to be prosecuted in any of her Majesty's courts of record, in which actions or suits, no essoin, protection, wager of law, privilege of parliament, or more than one imparlance shall be allowed; in which actions it shall be sufficient for the plaintiff to alledge, that the defendant or defendants are indebted to the plaintiffs, or received to the plaintiff's use, the monies so lost and paid, or converted the goods won of the plaintiff's to the defendants use, whereby the plaintiff's action accrued to him, according to the form of this statute, without setting forth the special matter; and in case the person or persons who shall lose such money, or other thing, as aforesaid, shall not, within the time aforesaid, really and *bona fide*, and without covin or collusion, sue, and with effect prosecute for the money, or other thing,

And if the losers do not sue, &c. any other person

so by him or them lost, and paid or delivered, as aforesaid, and recover it shall and may be lawful to and for any person or persons, by any such action or suit, as aforesaid, to sue for and recover the same, and treble the value thereof, with costs of suit, against such winner or winners, as aforesaid; the one moiety thereof to the use of the person or persons that will sue for the same, and the other moiety to the use of the poor of the parish where the offence shall be committed.

III. And for the better discovery of the monies, or other thing so won, and to be sued for and recovered, as aforesaid, it is hereby further enacted by the authority aforesaid, That all and every the person or persons, who by virtue of this present act shall or may be liable to be sued for the same, shall be obliged and compellable to answer upon oath such bill or bills as shall be preferred against him or them, for discovering the sum and sums of money, or other thing, so won at play, as aforesaid.

IV. Provided always, and be it nevertheless enacted by the authority aforesaid, That upon the discovery and repayment of the money, or other thing so to be discovered and repaid, as aforesaid, the person or persons, who shall so discover and repay the same as aforesaid, shall be acquitted, indemnified, and discharged from any further or other punishment, forfeiture, punishment, or penalty, which he or they may have incurred by the playing for, or winning such money or other thing so discovered and repaid, as aforesaid; any former or other statute, law, or usage, or any thing in this present act contained to the contrary thereof in any wise notwithstanding.

V. And be it further enacted by the authority aforesaid, That if any person or persons whatsoever, at any time or times, after the said first day of May, one thousand seven hundred and eleven, do or shall, by any fraud or shift, collusion, circumvention, deceit, or unlawful device or ill practice whatsoever, in playing at or with cards, dice, or any the games aforesaid, or in or by bearing a share or part in the stakes, wagers, or adventures, or in or by betting on the sides or hands of such as do or shall play, as aforesaid, win, obtain, or acquire to him or themselves, or to any other or others, any sum or sums of money or other valuable thing or things whatsoever, or shall at any one time or sitting, win of any one or more person or persons whatsoever, above the sum or value of ten pounds, that then every person or persons so winning by such ill practice, as aforesaid, or winning at any one time or sitting above the said sum or value of ten pounds, and being convicted of any of the said offences, upon an indictment or information to be exhibited against him or them for that purpose, shall forfeit five times the value of the sum or sums of money, or other thing so won, as aforesaid; and in case of such ill practice, as aforesaid, shall be deemed infamous, and suffer such corporal punishment, as in cases of wilful perjury; and such penalty to be recovered by such person or persons as shall sue for the same by such action as aforesaid.

Two justices may cause persons who have no visible estate, &c. to be brought before them, and unless they make it appear that they do not maintain themselves by gaming, shall find sureties for their good behaviour for 12 months, or be committed.

Persons so finding sureties, and playing for 20s. during the time, shall forfeit their recognizance.

Affaulting, &c. on account of money won at play, to forfeit all his goods, and be imprisoned two years.

This act shall not extend to prevent gaming in any of the Queen's palaces during her residence there, &c.

VI. *And whereas divers leud and dissolute persons, live at great expences, having no visible estate, profession or calling to maintain themselves, but support those expences by gaming only;* be it therefore further enacted by the authority aforesaid, That it shall and may be lawful for any two or more of her Majesty's justices of the peace, in any county, city, or liberty whatsoever, to cause to come, or to be brought before them, every such person or persons, within their respective limits, whom they shall have just cause to suspect to have no visible estate, profession or calling to maintain themselves by, but do for the most part support themselves by gaming; and if such person or persons shall not make it appear to such justices, that the principal part of his or their expences is not maintained by gaming, that then such justices shall require of him or them sufficient securities for his or their good behaviour for the space of twelve months; and in default of his or their finding such securities, to commit him or them to the common gaol, there to remain until he or they shall find such securities, as aforesaid.

VII. And be it enacted by the authority aforesaid, That if such person or persons so finding sureties, as aforesaid, shall, during the time for which he or they shall be so bound to the good behaviour, at any one time or sitting, play or bett for any sum or sums of money or other thing, exceeding in the whole the sum or value of twenty shillings, that then such playing shall be deemed or taken to be a breach of his or their behaviour; and a forfeiture of the recognizance given for the same.

VIII. And for the preventing of such quarrels as shall and may happen upon the account of gaming; be it further enacted by the authority aforesaid, That in case any person or persons whatsoever, shall assault and beat, or shall challenge or provoke to fight any other person or persons whatsoever, upon account of any money won by gaming, playing, or betting at any of the games aforesaid, such person or persons assaulting and beating, or challenging or provoking to fight such other person or persons upon the account aforesaid, shall, being thereof convicted upon an indictment or information to be exhibited against him or them for that purpose, forfeit to her Majesty, her heirs and successors, all his goods, chatteis and personal estate whatsoever, and shall also suffer imprisonment without bail or mainprize, in the common gaol of the county where such conviction shall be had, during the term of two years.

IX. Provided always, That nothing in this act contained shall extend to prevent or hinder any person or persons from gaming or playing at any of the games aforesaid, within any of her Majesty's palaces of St. James or Whitehall, during such time as her Majesty, her heirs or successors, shall be actually resident at either of the said two palaces, or in any other royal palaces, where her Majesty, her heirs or successors shall be actually resident, during the time of such actual residence, so as such playing be not in any house, lodging, or other part of any of the said palaces, the freehold or inheritance whereof is or shall

shall be out of the crown, or is or shall be in lease to any person or persons, during such time as such freehold and inheritance shall be out of the crown, or such lease shall continue, and so as such playing be for ready money only.

CAP. XV.

An act for making more effectual an act of the forty-third year of the reign of Queen Elizabeth, intituled, An act concerning the assises of fuel, so far as it relates to the assise of billet.

WHEREAS an act made in the forty-third year of Queen Elizabeth, intituled, An act concerning the assises of fuel, extends only to cities, boroughs, and towns corporate: and whereas also there is no forfeiture by the said act, unless the tale-wood, billet, or faggots therein mentioned were put to sale, the difficulty of knowing which is very great, (notwithstanding the said commodities lie exposed in publick places where they are usually bought and sold) by reason of the unwillingness of persons to become informers: and whereas also the assise of billet in the said act is carried up no higher than to two cast, which is very far short of the scantlings of billet now in use in many parts of this realm; for remedying the defects in the said act, and making it more effectual, be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the first day of November, in the year of our Lord one thousand seven hundred and eleven, all billet whatsoever, that is or shall lie exposed on wharfs, stathes, kays, or other places where billet is usually put on board, landed, laden, unladen, or that shall be put to sale, or that shall lie in any hoy, barge, keel, lighter, or other boat or vessel within the port of London, or any other port, shall be assised, and cut or marked in manner following, viz. all billets, of what scantling or denomination soever, shall contain in length three foot and four inches; every billet named a single, being round bodied, shall contain in compass seven inches and a half; every billet commonly called a cast, shall be cut or marked one, and being round, shall contain in compass ten inches and an half, being half round shall contain in compass twelve inches and a quarter, being quarter-cleft, shall contain in compass twelve inches; every billet commonly called a trois, shall be cut or marked with three notches in the middle, and being round, shall contain in compass thirteen inches, being half round shall contain in compass fifteen inches, being quarter-cleft, shall contain in compass fourteen inches and three quarters; every billet commonly called two cast, shall be marked two, and being round, shall contain in compass fifteen inches, being half round, shall contain in compass seventeen inches and a quarter, being quarter-cleft, shall contain in compass seventeen inches; every billet commonly cal-

43 Eliz. c. 14.

How billet exposed to sale in any port, after Nov. 1, 1710. shall be assised, cut, and marked.

Single.
Cast.

Trois.

Two cast.

- Three cast.** led three cast, shall be marked with a notch at each end, and another in the middle, and being round, shall contain in compass eighteen inches and a quarter, being half round, shall contain in compass twenty-one inches and a quarter, being quarter-cleft, shall contain in compass twenty-one inches; every billet commonly called four cast, shall be marked four, and being round shall contain in compass twenty-one inches and a quarter, being half round, shall contain in compass twenty-four inches and a half, being quarter-cleft, shall contain in compass twenty-four inches;
- Four cast.** every billet commonly called five cast, shall be marked five, and being round, shall contain in compass twenty-three inches and three quarters, being half round, shall contain in compass twenty-seven inches and a half, being quarter-cleft, shall contain in compass twenty-seven inches; every billet commonly called six cast, shall be marked six, and being round, shall contain in compass twenty-six inches, being half round, shall contain in compass thirty inches, being quarter-cleft, shall contain in compass twenty-nine inches and a half; every billet commonly called seven cast, shall be marked seven, and being round, shall contain in compass twenty-eight inches, being half round, shall contain in compass thirty-two inches and a half, being quarter-cleft, shall contain in compass thirty-two inches; every billet commonly called eight cast, shall be marked eight, and being round, shall contain in compass thirty inches, being half round, shall contain in compass thirty-four inches and three quarters, being quarter-cleft, shall contain in compass thirty-four inches; every billet commonly called nine cast, shall be marked nine, and being round, shall contain in compass thirty-one inches and three quarters, being half round, shall contain in compass thirty-six inches and three quarters, being quarter-cleft, shall contain in compass thirty-six inches and a quarter; every billet commonly called ten cast, shall be marked ten, and being round, shall contain in compass thirty-three inches and a half, being half round, shall contain in compass thirty-eight inches and three quarters, being quarter-cleft, shall contain in compass thirty-eight inches; every billet commonly called eleven cast, shall be marked eleven, and being round, shall contain in compass thirty-five inches and a quarter; every billet commonly called twelve cast, shall be marked twelve, and being round, shall contain in compass thirty-six inches and three quarters; every billet commonly called thirteen cast, shall be marked thirteen, and being round, shall contain in compass thirty-eight inches and a quarter; every billet commonly called fourteen cast, shall be marked fourteen, and being round shall contain in compass thirty-nine inches and three quarters; every billet commonly called fifteen cast, shall be marked fifteen, and being round shall contain in compass forty-one inches; every billet commonly called sixteen cast, shall be marked sixteen, and being round, shall contain in compass forty-two inches and a half; every billet commonly called seventeen cast, shall be marked seventeen, and being round, shall contain in compass forty-three inches and three quarters; every billet commonly called
- eighteen

eighteen cast, shall be marked eighteen, and being round, shall contain in compass forty-five inches; every billet commonly called nineteen cast, shall be marked nineteen, and being round, shall contain in compass forty-six inches and a quarter; every billet commonly called twenty cast, shall be marked twenty, and being round, shall contain in compass forty-seven inches and a half.

II. And be it further enacted by the authority aforesaid, That all billet that is, shall lie, or be exposed, on wharfs, stathes, kays, or other places where billet is usually put on board, landed, laden, unladen, or that shall be put or exposed to sale, or that shall be in any hoy, barge, keel, lighter, or other boat or vessel, within the port of London, or any other port, and shall not be ~~marked~~ ^{Billet exposed to sale, not assised, &c. as above directed, Altered and explained by to Annæ, c. 6. l. 2. as to beechwood-billet.} and marked, or cut, as in this act before directed, That then upon information thereof given to any justice of peace of the county, or to the mayor, bailiff, or other head officer of the city, borough, or town corporate, where the said billet is, or shall lie or be exposed, or be put to sale, or be in any hoy, barge, keel, lighter, or other boat or vessel, as aforesaid, such justice of the peace, mayor, bailiff, or other head officer, shall have power and authority to call before them six good and lawful men of the town, parish, city, borough, or town corporate, where the said billet is, shall lie, or be exposed, or be put to sale, or be in any hoy, barge, keel, lighter, or other boat or vessel, as aforesaid, and shall swear them upon their corporal oaths, truly to enquire and present, whether all or any part of the said billet be of good and sufficient assise, according to the direction of this present act; and if they shall present upon their oaths, that any of the said billets are not assised and marked, or cut, as is before directed, That then the said justice of peace for the said county, or the said mayor, bailiff, or other head officer of the said city, borough, or town corporate, by virtue of this act, upon their presentment, shall and may take such of the said billets as shall not be marked or cut, or be false assised, as forfeited, and shall deliver the same to the overseers of the poor in the said town, parish, city, borough, or town corporate, to be by them given and distributed to the poor there, according to their discretions, from time to time, as often as such offences shall be presented in manner and form, as aforesaid.

III. And be it further enacted by the authority aforesaid, That if any suit or action shall happen at any time or times hereafter to be brought, commenced, or prosecuted against any person or persons for or relating to any matter or thing which he or they shall happen to do in putting in execution this present act; it shall be lawful to and for such person or persons, against whom such suit or action shall happen to be brought, as aforesaid, to plead the general issue, and to give this act and the special matter in evidence; and if the plaintiff or plaintiffs in such suit or action shall become nonsuit, or suffer a verdict to pass against him or them, or discontinue his or their suit or action,

and shall have
treble costs.

Proprietors of
trees may
mark, &c.
or not mark
their billets as
they please for
private use,

or judgment shall be given against him or them upon any demurrer, the defendant or defendants in such suit or action. shall have judgment to recover his or their treble costs in such suit or action.

IV. Provided always, and be it enacted by the authority aforesaid, That any owner or proprietor of trees, may lop, cut, carry, mark, or omit to mark billet of what assize, length or bigness he pleases, such billet being for the private use of the said owner and proprietor only; any thing in this act contained to the contrary thereof in any wise notwithstanding.

C A P. XVI.

An act to make an attempt on the life of a privy counsellor, in the execution of his office, to be felony without benefit of clergy.

Hen. 7. c. 14.

WHEREAS Anthony de Guiscard, commonly called marquis de Guiscard, a French papist, residing in England under her Majesty's protection, and subsisted by her Majesty's bounty for some years past, was charged with holding a traitorous correspondence with France, and being taken into custody for such his treason by Nathan Wilcocks, of the parish of St. James Westminster in the county of Middlesex, gentleman, one of her Majesty's messengers in ordinary, by virtue of a warrant of the right honourable Henry Saint John esquire, one of her Majesty's principal secretaries of state, and on the eighth day of March, in the year of our Lord one thousand seven hundred and ten, being under examination before a committee of her Majesty's most honourable privy council for the same, perceiving his said treason to have been fully detected, being conscious of his guilt, and dreading the pain and infamy of his approaching punishment, in hopes of preventing the same, and in revenge for the discovery of the said offence, did, with a penknife, in a barbarous and villainous manner, stab the right honourable Robert Harley esquire, chancellor of her Majesty's Exchequer, and one of her Majesty's privy council then present and assisting in that committee, and endeavoured to wound others of her Majesty's privy council there: and whereas in the preventing further mischief from the rage of the said Anthony de Guiscard, and in apprehending and securing him, he the said Anthony de Guiscard was necessarily and unavoidably bruised and wounded, and is since dead in the prison of Newgate in the city of London: and whereas no sufficient punishment is provided for assaulting or wounding a privy counsellor in the execution of his office, by any law now in being; to the end that all persons may be deterred from committing such offences, and for preventing the like mischiefs for the time to come; be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That if any person or persons, from and after the first day of May, in the year of our Lord one thousand seven hundred and eleven, shall unlawfully attempt to kill, or shall unlawfully assault and strike or wound any person, being one of the most honourable privy council of

After 1 May,
1711. whoever
shall attempt
to kill, &c.
privy coun-
sellor in the
execution of
his office, de-
clared a felon
and shall be

of her Majesty, her heirs or successors, when in the execution of his office of a privy counsellor in council, or in any committee of council, that then the person or persons so offending, being thereof convicted in due form of law, shall be and are hereby declared to be felons, and shall suffer death as in cases of felony, without the benefit of clergy.

II. And be it further enacted by the authority aforesaid, That the said *Nathan Wilcocks* (who by an inquisition taken the seventeenth day of the said month of *March*, before *George Rivers* esquire, coroner of the said city of *London*, on view of the body of the said *Anthony de Guiscard*, then and there lying dead) is found to have given him the said *Anthony de Guiscard* several mortal bruises, of which he died; and all and every other person and persons, who were assisting in the defence of the said *Robert Harley*, and in the apprehending and securing the said *Anthony de Guiscard*, and did, in so doing, assault, bruise, or wound the said *Anthony de Guiscard*, shall be, and are hereby indemnified and saved harmless therefore; and such their actings and doings are hereby declared to have been necessary and lawful.

CAP. XVII.

An act for the preservation of white and other pine trees growing in her Majesty's colonies of New Hampshire, the Massachusetts Bay, and province of Main, Rhode Island, and Providence Plantation, the Narraganset country, or King's Province, and Connecticut, in New England, and New York, and New Jersey, in America, for the masting her Majesty's navy.

WHEREAS there are great numbers of white or other sort of pine trees, fit for masts, growing in her Majesty's colonies of New Hampshire, the Massachusetts Bay, and province of Main, Rhode Island, and Providence Plantation, the Narraganset country, or King's Province, and Connecticut, in New England, and New York, and New Jersey, fit for the masting her Majesty's royal navy: and whereas the same growing near the sea, and on navigable rivers, may commodiously be brought into this kingdom for the service aforesaid: wherefore, for the better preservation thereof, be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the twenty fourth day of *September*, which shall be in the year of our Lord one thousand seven hundred and eleven, no person or persons within the said colonies of *New Hampshire, the Massachusetts Bay, and province of Main, Rhode Island, and Providence Plantation, the Narraganset country, or King's Province, Connecticut in New England, and New York and New Jersey*, or any of them, do or shall presume to cut, fell, or destroy any white or other sort of pine tree fit for masts, not being the property of any private person, such tree being of the growth of twenty four inches diameter

fer death as
such without
clergy.

Nathan Wil-
cocks, &c.
saved harm-
less.

After 24 Sept.
1711. no per-
son, within the
colonies of
New Hamp-
shire, &c. shall
cut, &c. any
pine tree fit
for masts,
without leave
of the Queen;
on forfeiture
of 100l. one
moiety to the
Queen, the
other to the
informer, to

be levied by
warrant of a
justice.

*Repealed as to
selling white
pine trees,
by 8 Geo. 1
c. 12. s. 6.*

diameter and upwards at twelve inches from the earth, without her Majesty's licence for so doing first had and obtained, on the penalty or forfeiture of one hundred pounds sterling for every such offence, on proof thereof to be made by one or more credible witnesses on oath before one of her Majesty's justices of the peace there, within or nearest to such place where such offence shall be committed; one moiety of such penalty or forfeiture to be to her Majesty, her heirs and successors, the other moiety to the informer who shall sue for the same within six months, to be levied by warrant under the hand and seal of such justice of the peace.

II. *And whereas the surveyor general of her Majesty's woods in those parts is, by himself or his sufficient deputy or deputies, by her Majesty's commission, authorized and directed to mark with the broad arrow all such trees as now are, or hereafter shall be fit and proper to be taken for the use of her Majesty's royal navy, and to keep a register for the same, thereby to prevent the destruction of such trees: and whereas several persons, not lawfully thereto authorized, as aforesaid, have presumed to mark such trees with the broad arrow, thereby to deter others her Majesty's good subjects from getting logs for lumber and other uses, and to make to themselves a property in such trees, though growing on common land; be it therefore further enacted by the authority aforesaid, That from and after the said twenty fourth day of September, one thousand seven hundred and eleven, no person or persons within the said colonies of New Hampshire, the Massachusetts Bay, and province of Main, Rhode Island, and Providence Plantations, the Narraganset country, or King's Province, Connecticut in New England, and New York, and New Jersey, or any of them, other than the said surveyor general for the time being, his deputy or deputies, or such person as shall be authorized thereto by warrant under the said surveyor general's hand, do or shall presume to mark any such white or other sort of pine trees, with the broad arrow, on the penalty or forfeiture of five pounds sterling for every such offence, to be recovered and levied in such manner, and on such proof, and to be distributed, as aforesaid; any thing herein before, on in any former act, contained to the contrary in any wise notwithstanding.*

No person
within the said
colonies shall
mark any pine
tree with the
broad arrow
except the
Queen's sur-
veyor, &c.

On penalty of
5l. to be le-
vied and di-
stributed as
above.

CAP. XVIII.

An act to render more effectual an act made in the sixth year of her present Majesty, intituled, An act to repeal a clause in an act of the seventh year of the reign of his late Majesty, for amending highways, which enjoins waggoners and others to draw with a pole between the wheel-horses, or with double shafts, and to oblige them to draw only with six horses, or other beasts, except up hills.

6Annæ, c. 29.
5Geo. 1. c. 12.
15Geo. 2. c. 2.
16Geo. 2. c. 29.

WHEREAS by an act of parliament made in the sixth year of the reign of her present Majesty, intituled, An act to repeal a clause in an act of the seventh year of the reign of his late Ma-
jesty

jesty (for amending and repairing highways) which enjoins waggoners and others to draw with a pole between the wheel horses, or with double shafts, and to oblige them to draw only with six horses, or other beasts, except up hills, it is enacted, That from and after the twenty fourth day of June, one thousand seven hundred and eight, no travelling waggon, wain, cart, or carriage, wherein any burdens, goods, or wares shall be carried or drawn, other than such carts and carriages as in the said act are excepted, shall at any one time traquel, be drawn, or go in any common or publick highway or road with above six horses, oxen, or beasts, except up hills, upon pain that every owner of such waggon, wain, cart or carriage, shall forfeit for every such offence the sum of five pounds; one moiety whereof shall be to the surveyors of the highways of the town, village, hamlet, or place, where any of the said offences shall be committed, to be employed in the repairs of the said highways, and the other moiety thereof to him that shall discover and prosecute for any of the said offences, (provided such discoverer or prosecutor to be an inhabitant of such town, village, or place) the said penalty to be levied by distress of all or any the said horses, oxen, or beasts, by warrant under the hand and seal of one justice of the peace: and whereas the restraining the discovery and prosecution of the said offence, to an inhabitant of the town or place where the offence shall be committed, and the said penalties being appointed to be levied by distress of the said horses, oxen, or beasts only, by warrant under the hand and seal of one justice of the peace, do render the said act in a great measure ineffectual; for remedy whereof, be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the four and twentieth day of June, one thousand seven hundred and eleven, it shall and may be lawful for any person or persons whatsoever, to seize or distrain any or all of the horses, oxen, or beasts of any person or persons offending against the said act, by drawing with more than six horses, oxen, or beasts, and forthwith to deliver the said horses, oxen, or beasts so seized and distrained to the surveyor of the highways, or other parish officer of the town, village, hamlet, or place where the offence shall be committed; and in case the said penalty be not paid within three days, it shall and may be lawful to and for the said surveyor of the highways, or other parish officer, by warrant under hand and seal of one justice of the peace, to sell the said distress, and deliver the money raised thereby to the said justice, who is hereby authorized and required to distribute the penalties as by the said act is directed, rendering the overplus, if any be, to the owner, the charges being first deducted; or if the offender or offenders shall immediately pay the said penalty to the person or persons so seizing or distraining, or to the surveyor or other parish officer where the offence shall be committed, then the person so receiving the same shall deliver it to the next justice of the peace, to be by him distributed, as aforesaid.

After 24 June, 1711. any person may seize the horses, &c. of any waggon, &c. drawn with more than 6 horses, &c. and deliver them to the surveyor, &c. and if the penalty be not paid in 3 days, the distress to be sold, &c. See 1 Geo. 1. stat. 2. c. 11. and 5 Geo. 2. c. 12. by the last of which acts no cart is to be drawn with more than 3 horses. And see 6 Geo. 1. c. 6. for the ascertainment of the quantities of meal, &c. to be carried in London.

If the offender pay the penalty, it shall be delivered to the next justice, &c.

If the person seizing the cattle shall neglect to deliver them to the surveyor, he shall forfeit 20l. to be levied by distress; and for want of distress to be sent to the common gaol. Surveyor, &c. neglecting to deliver the penalty to the justice, to forfeit 20 l.

Persons assisting, &c. to forfeit 5 l.

So much of the said act of 6 Annæ as relates to drawing up hill, repealed.

Where six horses are not sufficient, any person may add more beasts from another cart, &c.

II. Provided always, That if any person or persons shall at any time refuse or neglect to carry any of the said horses, oxen, or beasts, by him so seized or distrained, to the surveyor, or other parish officer, as aforesaid, he shall forfeit for such refusal or neglect, the sum of twenty pounds, to be levied upon his goods and chattels, by warrant under the hand and seal of one justice of the peace; and for want of sufficient distress, the person or persons so offending shall be sent to the common gaol of the county, city, town corporate, or liberty where such offence shall be committed, there to remain till the said sum of twenty pounds, by him so forfeited, shall be fully paid; one moiety of which said sum shall, by order of the said justice of the peace, be paid to the informer, and the other moiety be laid out in repairing the highways of the parish, town, or hamlet where the seizure was made; and if any surveyor of the highways, or other parish officer, shall refuse or neglect to deliver any sum of money or penalty by him received to the said justice, he or they, for such refusal or neglect, shall forfeit the sum of twenty pounds, to be levied and disposed of, as aforesaid.

III. And be it further enacted by the authority aforesaid, That if any person employed by any carrier, or other person subject to the penalties mentioned in the said act, shall drive, or assist in the driving of any travelling waggon, wain, cart, or carriage, with more than six horses, oxen, or beasts, the person so offending shall forfeit the sum of five pounds, to be levied and disposed of in like manner as the forfeitures before mentioned are directed and appointed.

IV. *And whereas the allowing of drawing up any hills by the said act with more than six horses, or beasts, has been found very prejudicial to the highways, by giving opportunity of drawing in other places with more than six horses, or beasts;* be it further enacted by the authority aforesaid, That so much of the said recited act as relates to the drawing up hills with more than six horses or beasts, from the said four and twentieth day of June, one thousand seven hundred and eleven, shall stand absolutely repealed, and is hereby repealed.

V. Provided always, and it is hereby enacted and declared, That where the horses allowed to draw any cart or waggon, shall not be sufficient to draw the same up any steep hill, or out of any foul place, it shall and may be lawful to and for any person or persons to take, add, and join any horse or horses, from another cart or waggon then travelling that road, by and with the consent of the owner or driver of such cart or waggon, to help such insufficient horses up such steep hill, or out of such foul place; any thing herein, or in any other act, contained to the contrary notwithstanding.

CAP. XIX.

An act to enable her Majesty to grant the site of the castle of Exon (parcel of her dutchy of Cornwall) for ninety-nine years, for the use and benefit of the county of Devon.

The

The Queen, &c. may by letters patent grant the site of the castle of Exon, for the term of ninety-nine years, to some person appointed by the quarter-sessions of the county of Devon, for the use of the said county, &c. The interest of the justices to the herbage, &c. shall cease on the making such grant; and the antient yearly rent of 10l. shall be reserved in the said grant payable to the crown. Saving to all persons, other than the crown and dukes of Cornwall, all rights, &c.

CAP. XX.

An act for rendring the proceedings upon writs of Mandamus, and informations in the nature of a Quo Warranto, more speedy and effectual; and for the more easy trying and determining the rights of offices and franchises in corporations and boroughs.

WHEREAS divers persons of late illegally intruded themselves into, and have taken upon themselves to execute the offices of mayors, bailiffs, portreeves and other offices, within cities, towns corporate, boroughs and places, within that part of Great Britain called England and Wales; and where such offices were annual offices, it hath been found very difficult, if not impracticable, by the laws now in being, to bring to a trial and determination the right of such persons to the said offices within the compass of the year; and where such offices were not annual offices, it hath been found difficult to try and determine the right of such persons to such offices, before they have done divers acts in their said offices, prejudicial to the peace, order and good government within such cities, towns corporate, boroughs and places, wherein they have respectively acted: and whereas divers persons, who had a right to such offices, or to be burgeses or freemen of such cities, towns corporate, boroughs or places, have either been illegally turned out of the same, or have been refused to be admitted thereto, having in many of the said cases no other remedy to procure themselves to be respectively admitted or restored to their said offices or franchises of being burgeses or freemen, than by writs of Mandamus, the proceedings on which are very dilatory and expensive, whereby great mischiefs have already ensued, and more are likely to ensue, if not timely prevented: for remedy whereof, be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the first day of Trinity term, in the year of our Lord one thousand seven hundred and eleven, where any writ of Mandamus shall issue out of the court of Queen's Bench, the courts of sessions of counties palatine, or out of any of the courts of grand sessions in Wales, in any of the cases aforesaid, such person or persons, who by the laws of this realm are required to make a return to such writ of Mandamus, shall make his or their return to the first writ of Mandamus.

After the first day of Trinity term, 1711. Returns to writs of Mandamus out of the Queen's Bench, &c. shall be made to the first writ.

II. And be it further enacted by the authority aforesaid, That from and after the said first day of Trinity term, as often as in any of the cases aforesaid, any writ of Mandamus shall issue out of any of the said courts, and a return shall be made thereunto, it shall and may be lawful to and for the person or persons

As soon as the return is made, the prosecutor in such writ may plead, &c.

to which the
person return-
ing may re-
ply, &c.

How the pro-
ceedings shall
be.

Persons against
whom da-
mages shall be
recovered, not
liable to be
sued in other
actions.

How informa-
tions in the
nature of *Quo*
Warranto may
be exhibited
against such as
intrude, &c.
into offices,
&c.

sons suing or prosecuting such writ of *Mandamus*, or plead to, or traverse all or any the material facts contained within the said return; to which the person or persons making such return shall reply, take issue, or demur; and such further proceedings, and in such manner shall be had therein, for the determination thereof, as might have been had if the person or persons suing such writ had brought his or their action on the case for a false return; and if any issue shall be joined on such proceedings, the person or persons suing such writ shall and may try the same in such place as an issue joined in such action on the case should or might have been tried; and in case a verdict shall be found for the person or persons suing such writ, or judgment given for him or them upon a demurrer, or by *Nil dicit*, or for want of a replication or other pleading, or they shall recover his or their damages and costs in such manner as he or they might have done in such action on the case as aforesaid; such costs and damages to be levied by *Capias ad Satisfaciendum*, *Fieri Facias*, or *Elegit*; and a peremptory writ of *Mandamus* shall be granted without delay, for him or them for whom judgment shall be given, as might have been, if such return had been adjudged insufficient; and in case judgment shall be given for the person or persons making such return to such writ, he or they shall recover his or their costs of suit, to be levied in manner aforesaid.

III. Provided always, That if any damages shall be recovered by virtue of this act against any such person or persons making such return to such writ, as aforesaid, he or they shall not be liable to be sued in any other action or suit, for the making such return; any law, usage or custom to the contrary thereof in any wise notwithstanding.

IV. And be it further enacted by the authority aforesaid, That from and after the said first day of *Trinity* term, in case any person or persons shall usurp, intrude into, or unlawfully hold and execute any of the said offices or franchises, it shall and may be lawful to and for the proper officer in each of the said respective courts, with the leave of the said courts respectively, to exhibit one or more information or informations in the nature of a *Quo Warranto*, at the relation of any person or persons desiring to sue or prosecute the same, and who shall be mentioned in such information or informations to be the relator or relators against such person or persons, so usurping, intruding into, or unlawfully holding and executing any of the said offices or franchises, and to proceed therein in such manner as is usual in cases of information in the nature of a *Quo Warranto*; and if it shall appear to the said respective courts, that the several rights of divers persons to the said offices or franchises may properly be determined on one information, it shall and may be lawful for the said respective courts to give leave to exhibit one such information against several persons, in order to try their respective rights to such offices or franchises, and such person or persons, against whom such information or informations in the nature of a *Quo Warranto* shall be sued or prosecuted, shall appear and plead

plead as of the same term or sessions in which the said information or informations shall be filed, unless the court where such information shall be filed, shall give further time to such person or persons, against whom such information shall be exhibited, to plead; and such person or persons, who shall sue or prosecute such information or informations in the nature of a *Quo Warranto*, shall proceed thereupon with the most convenient speed that may be; any law or usage to the contrary thereof in any wise notwithstanding.

V. And be it further enacted and declared by the authority aforesaid, That from and after the said first day of *Trinity* term, in case any person or persons, against whom any information or informations in the nature of a *Quo Warranto* shall in any of the said cases be exhibited in any of the said courts, shall be found or adjudged guilty of an usurpation, or intrusion into, or unlawfully holding and executing any of the said offices, or franchises, it shall and may be lawful to and for the said courts respectively, as well to give judgment of *Ouster* against such person or persons, of and from any of the said offices or franchises, as to fine such person or persons respectively, for his or their usurping, intruding into, or unlawfully holding and executing any of the said offices or franchises; and also it shall and may be lawful to and for the said courts respectively, to give judgment, That the relator or relators, in such information named, shall recover his or their costs of such prosecution; and if judgment shall be given for the defendant or defendants in such information, he or they, for whom such judgment shall be given, shall recover his or their costs therein expended against such relator or relators; such costs to be levied in manner aforesaid.

Judgment of *Ouster* shall be given against persons found guilty of such usurpation, &c.

and the relator shall recover costs: If judgment be given for the defendant, he shall have costs against the relator.

VI. And be it further enacted and declared by the authority aforesaid, That it shall and may be lawful to and for the said courts respectively, to allow to such person or persons respectively, to whom any writ of *Mandamus* shall be directed, or against whom any information in the nature of a *Quo Warranto*, in any of the cases aforesaid, shall be sued or prosecuted, or to the person or persons who shall sue or prosecute the same, such convenient time respectively, to make a return, plead, reply, rejoin, or demur, as to the said courts respectively shall seem just and reasonable; any thing herein contained to the contrary thereof in any wise notwithstanding.

The court may allow a convenient time to return a *Mandamus*, plead, reply, &c.

VII. And be it further enacted by the authority aforesaid, That after the said first day of *Trinity* term, an act made in the fourth year of her Majesty's reign, intituled, *An act for the amendment of the law, and the better advancement of justice*, and all the statutes of *Jeofayles*, shall be extended to all writs of *Mandamus*, and informations in nature of a *Quo Warranto*, and proceedings thereon, for any the matters in this act mentioned.

The act 4 Annæ, c. 16. and all the statutes of *Jeofayles*, shall be extended to writs of *Mandamus*, &c. 31 H. 8. c. 30. 18 El. c. 14. 27 El. c. 5. 21 Ja. 1. c. 13. 16 & 17 Car. 2. c. 23.

VIII. And whereas in divers counties, boroughs, towns corporate, and cinque-ports, where the mayor, bailiff, or other officer or officers, to whom it belongs to preside at the election, and make return of any member to serve in parliament, ought to be annually elected, the same person

No annual re-
turning officer
shall be re-
elected; and
such annual
officer ob-
structing the
election of his
successor,

to forfeit 100l.

One moiety to
the Queen,
the other to
the prosecutor.

person hath been re-elected into such office for several years successively, which hath been found inconvenient; be it enacted and declared by the authority aforesaid, That no person or persons, who hath been or shall be in such annual office for one whole year, shall be capable to be chosen into the same office for the year immediately ensuing: and where any such annual officer or officers is or are to continue for a year, and until some other person or persons shall be chosen and sworn into such office; if any such officer or officers shall voluntarily and unlawfully obstruct and prevent the choosing another person or persons to succeed in such office at the time appointed for making another choice, shall forfeit one hundred pounds for every such offence, to be recovered with costs of suit, by such person as will sue for the same in any of her Majesty's courts of record before mentioned, by action of debt, bill, plaint, or information, wherein no effoin, protection, or wager of law shall be allowed, nor any more than one imparlance; one moiety thereof to her Majesty, her heirs and successors, and the other moiety to him or them that will sue for the same.

C A P. XXI.

An act for making good deficiencies, and satisfying the publick debts; and for creating a corporation, to carry on a trade to the South Seas, and for the encouragement of the fishery; and for liberty to trade in unwrought iron with the subjects of Spain; and to repeal the acts for registering seamen.

3 Geo. 1. c. 9.
f. 3.

5130539l. 5s.
5d. navy debt.

154124l. 15s.
8d. q. ord-
nance.

424791l. 5s.
4d. q. trans-
port.

24018656l. 17s.
9d. q. army
debentures.

12025l. 1s.
coal duty.

MOST gracious Sovereign, whereas notwithstanding the many and great supplies granted to your Majesty for carrying on the present war, the following debts and deficiencies are computed to remain still due and unprovided for, (that is to say) the sum of five millions one hundred and thirty thousand five hundred thirty nine pounds, five shillings, and five pence, for the debt of your Majesty's navy, and for services performed by the navy on account of land forces, to the nine and twentieth day of September, one thousand seven hundred and ten, (exclusive of the debt for the register of seamen) and the sum of one hundred fifty four thousand three hundred twenty four pounds, fifteen shillings, and eight pence farthing, for the debt of your Majesty's office of ordnance, to the nine and twentieth day of September, one thousand seven hundred and ten; and the sum of four hundred twenty four thousand seven hundred ninety one pounds, five shillings, and four pence farthing for transport service, to the nine and twentieth day of September, one thousand seven hundred and ten; and the sum of one million and eighteen thousand six hundred fifty six pounds, seventeen shillings, and nine pence farthing, for the principal and interest money, due to the nine and twentieth day of September, one thousand seven hundred and ten, on army and transport debentures, made out for the service of the last war; and the sum of twelve thousand twenty five pounds, and one shilling for the principal money and interest, to the nine and twentieth day of September, one thousand seven

seven hundred and ten, of deficient sales and orders for money lent on an act made in the eighth year of the reign of his late majesty King William the Third (of glorious memory) and another act made in the first year of your Majesty's reign, for laying duties on coals, culm, and cyders; and the sum of three hundred seventy eight thousand eight hundred fifty nine pounds, five shillings and eight pence farthing, &c. computed for debts incurred between the nine and twentieth day of September, one thousand seven hundred and ten, and the five and twentieth day of December, one thousand seven hundred and ten, in the several offices of the navy, victualling, and transport, and for interest on the said army and transport debentures in that time; and the sum of nine thousand three hundred seventy and five pounds, to satisfy the money due upon account of subsidies to the elector of Hanover and duke of Zell, pursuant to a treaty, bearing date the fourteenth day of May, one thousand six hundred ninety and six: all which several sums so computed to be due and owing, as aforesaid, do amount in the whole to the sum of seven millions one hundred twenty eight thousand five hundred seventy one pounds, ten shillings and eleven pence, and the interest of such part of the said several debts as do carry interest from the said five and twentieth day of December, one thousand seven hundred and ten, to the five and twentieth day of December, one thousand seven hundred and eleven, are computed to amount to the sum of eighty five thousand pounds; which being added to the said sum of seven millions one hundred twenty eight thousand five hundred seventy one pounds, ten shillings, and eleven pence, makes the total of the said debts amount to the sum of seven millions two hundred and thirteen thousand five hundred and seventy one pounds, ten shillings, and eleven pence: And whereas there has been lent and advanced into the receipt of your Majesty's Exchequer, pursuant to an act made in the said eighth year of your Majesty's reign (amongst other things) for continuing several impositions, additional impositions, and duties upon goods imported to raise money by way of loan, for the service of the year one thousand seven hundred and ten, the sum of one million two hundred ninety six thousand five hundred fifty two pounds, nine shillings, and eleven pence three farthings: and whereas the funds by the said last-mentioned act settled for payment of the interest of the said money lent, in pursuance of the said act, do not yet take place, so that no interest hath yet been paid upon or for the said money lent or advanced in pursuance of the said act, and the interest due upon the said money on the five and twentieth day of March, one thousand seven hundred and eleven, is computed to amount to the sum of seventy four thousand eight hundred seventy five pounds, nineteen shillings, and one penny farthing; and the said principal and interest money, so lent and due on the said last-mentioned act, do amount together, by computation, to the sum of one million three hundred seventy one thousand four hundred twenty eight pounds, nine shillings and one penny; which being added to the above mentioned sum of seven millions two hundred and thirteen thousand five hundred seventy one pounds ten shillings, and eleven pence, above computed to be the total amount of the before-mentioned debts and deficiencies, will make the said debts and deficiencies, and the principal and interest money,

8 W. 3. c. 3.
1 Annæ, stat.
2. c. 4.
378859l. 5s.
8d. q. interest,

9375l. Ha-
nover subsidy,

85000l. int-
terest.

8 Annæ, c. 13

1,371428l. 9s.
1d. on 8 Annæ.

36125l. interest.

§ Annæ, c. 13.

500000l. current service.

to the five and twentieth day of March, one thousand seven hundred and eleven, due upon the said act of the eighth year of your Majesty's reign, amount together in the whole to the sum of eight millions five hundred eighty five thousand pounds; the interest of which said sum of eight millions five hundred eighty five thousand pounds, from the five and twentieth day of March, one thousand seven hundred and eleven, to the five and twentieth day of December, one thousand seven hundred and eleven, being computed at the rate of six pounds per centum per annum, doth amount unto the sum of three hundred eighty six thousand three hundred and twenty five pounds; which being added to the said sum of eight millions five hundred eighty five thousand pounds, makes the sum total of the said debts, sums of money and interest, to the said five and twentieth day of December, one thousand seven hundred and eleven amount to the sum of eight millions nine hundred seventy one thousand three hundred twenty five pounds: and whereas great part of the tallies and orders struck, made, and signed for the said money, lent in pursuance of the said act made in the said eighth year of your Majesty's reign, are in the hands of the respective treasurers or paymasters of your Majesty's navy, and land forces, and of your Majesty's ordnance, and transport service, or other publick offices, and cannot be disposed of without great loss and discount, and to the damage of the publick credit; and other part of the tallies and orders, struck, made out, and signed for other part of the said monies lent or advanced in pursuance of the said last-mentioned act, are or may be in the hands of such person or persons as may be better pleased with the perpetual interest, after the rate of six pounds per centum per annum, redeemable by parliament, and the privilege of trade, and other privileges and advantages by this act granted: now we your Majesty's most dutiful and faithful subjects, the commons of Great Brittain in parliament assembled, being duly affected with the deepest sense of the happiness we enjoy under your Majesty's most gracious and wise administration, and being truly desirous to do all that becomes dutiful and faithful subjects, to render happy and glorious the reign of the best of sovereigns, and having taken into our most serious consideration all the said debts and deficiencies, and the many ill consequences which may arise to the publick thereby (if not timely remedied) and being heartily zealous to preserve the honour of your Majesty and the nation, and to establish the publick credit, and to enable your Majesty to prosecute the present war, (so necessarily entered into) with the utmost vigour, until such a peace shall (by the blessing of Almighty God) be obtained, as may be for the honour of your Majesty, and the lasting security of your kingdoms, and your allies, have agreed (in order to make a provision for the said debts, deficiencies, and sums of money, before computed to amount to the said sum of eight millions nine hundred seventy one thousand three hundred and twenty five pounds, and for raising the further sum of five hundred thousand pound for the service of the present year, which makes the total sum, computed to be provided for by this act, to amount to the sum of nine millions four hundred seventy one thousand three hundred and twenty

twenty five pounds) to give and grant to your Majesty such supplies as are herein after mentioned, for paying an interest or annuity after the rate of six pounds *per centum per annum* for all the said sums of money, debts, and deficiencies, until the principal money shall be paid, as herein after is mentioned, which, by the computation aforesaid, doth amount unto the annual sum of five hundred sixty eight thousand two hundred seventy nine pounds, and ten shillings; and that a good, sure, and lasting fund may be settled and established for paying the said interest or annuities, after the rate of six pounds *per centum per annum*, by quarterly payments, amounting in the whole, by computation, to the said sum of five hundred sixty eight thousand two hundred seventy nine pounds, and ten shillings, we do give and grant to your Majesty, your heirs and successors, for the purposes aforesaid, the supplies, impositions, and duties herein after mentioned; and do most humbly beseech your Majesty to accept thereof, and that it may be enacted; and be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal and commons, in this present parliament assembled, and by the authority of the same, That all and every the impositions, additional impositions, rates, duties, and charges upon all wines, vinegar, and tobacco, and upon all *East India* goods, and wrought silks, and upon all whale-fins, and upon all or any other goods or merchandizes whatsoever, which by the said act made in the said eighth year of her said now Majesty's reign, were granted, continued, or made payable to her said Majesty, her heirs and successors, from the last day of *July*, one thousand seven hundred and sixteen, to the first day of *August*, one thousand seven hundred and twenty, shall by virtue of this act be further granted and continued, and be paid and payable to her Majesty, her heirs and successors, upon and for all wines, vinegar, and tobacco, and all wrought silks, and whale-fins, and upon all other the like goods and merchandizes as are by the said acts, every or any of them, charged or chargeable with the said rates, duties, impositions, or additional impositions, or any of them, and which shall be brought or imported into *Great Britain*, from the last day of *July*, one thousand seven hundred and twenty, for ever; and that all and every the act and acts of parliament (which by the said act made in the said eighth year of her said Majesty's reign, were continued to the said first day of *August*, one thousand seven hundred and twenty, and all the powers, provisions, penalties, articles, and clauses in the said acts, every or any of them, mentioned or contained (except as in the said act of the said eighth year of her said Majesty's reign, and herein after, is excepted) as for and concerning the said rates, duties, impositions, and additional impositions, and every or any of them respectively, hereby granted, continued, or made payable, shall continue and be in full force and effect for ever, and shall be severally applied, practised, and executed, for the raising, levying, collecting, answering, and paying the said respective

Impositions,
&c. 8 Ann.
c. 13. con-
tinued from
31 July, 1720.
for ever.

8 Ann. c. 13.

rates, duties, impositions, and additional impositions, every or any of them, respectively, by the same respective acts granted, and which are hereby continued, and made payable, and all arrears thereof, according to the tenor and intent of this act, as if the same acts, and every of them, and all and every the clauses, matters, and things in them, and every of them respectively mentioned or contained, had been again repeated, and particularly enacted in this present act.

Duty on tobacco to be levied according to the act. 7 W. 3. c. 10.

II. Provided always, and be it enacted and declared by the authority aforesaid, That the said duty upon tobacco, which shall be imposed within the times by this act limited, and arrears thereof, shall be secured, collected, raised, levied, answered, and paid to her Majesty, her heirs and successors, in such method, and with such discount and allowances, and according to such rules and directions, and under such penalties, as are mentioned, referred to, or prescribed (as to the duties or impositions on tobacco) in and by the act made in the parliament holden in the seventh year of the reign of his said late majesty King William the Third, intituled, *An act for continuing several duties granted by former acts upon wine, vinegar, and tobacco, and East India goods, and other merchandizes imported, for carrying on the war against France, and not otherwise.*

Alterations made by any act in being to be observed.

III. Provided also, That in all cases where any other provision or alteration is made by any act or acts of parliament now in being, in or about any other matter or thing contained in the said acts of parliament hereby continued, or any of them, such other provisions or alterations shall be observed for ever; any thing herein contained to the contrary notwithstanding.

After payment of principal and interest charged by the former acts, the surplus to be applied to the uses of this act.

IV. And be it further enacted, That all and every the surplus monies arising in the receipt of the Exchequer, on or for the said duties hereby continued, and such other duties as are mentioned and contained in the former acts, whereby the said duties hereby continued were granted or continued to the first day of August, one thousand seven hundred and sixteen, after payment of all such principal money and interest, as by the said former acts are charged thereupon, and which by the said act in the said eighth year of her Majesty's reign are appropriated and applied to the purposes in that act mentioned, shall be, and by virtue of this act are, appropriated and made applicable to the uses and purposes in this act mentioned and contained, and to no other use, intent, or purpose whatsoever; any thing in the said last-mentioned act contained to the contrary thereof in any wise notwithstanding.

1 Annæ, Stat. 1. c. 13.

V. And whereas by the said act made in the said eighth year of her said Majesty's reign, it is enacted, That immediately from and after the time that all principal and interest monies, secured by an act of the first year of her Majesty's reign, intituled, *An act for making good deficiencies, and for preserving the publick credit, should be fully paid off and satisfied, or that sufficient monies should be reserved in the Exchequer for that purpose, then all the monies which from thenceforth, until the first day of August, which will be in the year*

of our Lord one thousand seven hundred and sixteen, should arise, or be due or payable, or be secured or in arrear, of and for the duties upon salt and rock salt therein mentioned (except the necessary charges of raising, levying, collecting, and accounting for the same) shall, from time to time, be paid into the receipt of Exchequer, and shall be issued and applied, so far as the same will extend, to and for the payment and satisfaction of the interest which shall, from time to time, grow due for the monies which shall be lent upon, or in pursuance of the said act of the said eighth year of her Majesty's reign, or any of the powers or clauses therein contained, and to none other use, intent, or purpose whatsoever; any law or custom to the contrary notwithstanding: now it is hereby declared and enacted by the authority aforesaid, That immediately from and after the time that all the principal and interest monies secured by the said last-mentioned act of the said first year of her said Majesty's reign, shall be fully paid off and satisfied, or that sufficient monies shall be reserved in the Exchequer for that purpose, that all the monies which from thenceforth for ever shall arise, or be due or payable, or be secured, or in arrear, of and for the said duties of salt and rock salt, (except the necessary charges of raising, levying, collecting, and accounting for the same) shall, from time to time, for ever be paid into the receipt of her Majesty's Exchequer, and shall be issued and applied for the purposes in this act contained, and for no other use, intent, or purpose whatsoever; any thing in the said act of the said eighth year of her Majesty's reign, to the contrary thereof in any wise notwithstanding.

And also the duties upon salt and rock salt, 8 Annæ, c. 13. These duties were repealed 3 Geo. 2. c. 20. and afterwards revived for other uses by 5 Geo. 2. c. 6.

VI. And be it further enacted by the authority aforesaid, That all the monies that shall come into the receipt of the Exchequer, upon or for all and every the rates, duties, impositions, and additional impositions, which were granted or continued by the said act of the said eighth year of her Majesty's reign, from the last day of July, one thousand seven hundred and sixteen, to the first day of August, one thousand seven hundred and twenty, and all arrears thereof, shall be applied and appropriated, and they are hereby appropriated to the uses and purposes of this act, and to no other use, intent, or purpose whatsoever; any thing in the said act of the said eighth year of her Majesty's reign, to the contrary notwithstanding; and the said rates, duties, impositions, and additional impositions, and every of them respectively, shall be raised, levied, collected, answered, and paid, in such manner and form, and by such ways and means, and subject to, and under such penalties, forfeitures, and disabilities, as is and are contained in the said act of the said eighth year of her Majesty's reign.

Funds 8 Annæ, c. 13. appropriated to the uses of this act.

VII. And be it further enacted by the authority aforesaid, That the several duties upon candles, which by an act made in the said eighth year of her said Majesty's reign, intituled, *An act for laying certain duties upon candles, and certain rates upon monies to be given with clerks, apprentices, and servants, towards raising her Majesty's supply, for the year one thousand seven hundred and ten,* were granted to her Majesty, her heirs and successors,

Duties upon candles, and upon clerks, apprentices, and servants, 8 Annæ, c. 9. continued for ever.

for the term of five years, to be reckoned from the first day of May, one thousand seven hundred and ten, shall, by virtue of this act, be further continued, and be payable, as well upon all wax candles and candles called or sold for wax candles (notwithstanding the mixture of any other ingredients therewith) as upon all tallow candles, to be imported into, or made in any part of Great Britain; from and after the first day of May, which shall be in the year of our Lord one thousand seven hundred and fifteen; for ever; and also that the said several rates upon monies to be given with clerks, apprentices, and servants, which were granted to her Majesty, her heirs and successors, by the said last-mentioned act, for the term of five years, to be reckoned from the first day of May, one thousand seven hundred and ten, shall be further continued, and be payable for and upon all monies or other consideration to be given with clerks, apprentices, or servants; as in the same act are mentioned, from and after the first day of May, which shall be in the year of our Lord one thousand seven hundred and fifteen, for ever; and that the said act last-mentioned, and all powers, provisions, penalties, articles, and clauses therein contained, as well for and concerning the said duties upon candles, and the said rates upon monies or other consideration to be given with clerks, apprentices, and servants, shall continue, and be in full force for ever, and shall be applied, practised, and executed, for raising, levying, collecting, answering, and paying, as well the said duties upon candles, as the said rates upon monies or other consideration to be given with clerks, apprentices, or servants, hereby continued, and all arrears thereof, according to the tenor and intent of this present act, as fully, to all intents and purposes, as if all and every the clauses, powers, matters, and things in the same act contained, had been again in this act repeated and particularly enacted.

After principal, &c. borrowed upon candles, clerks, apprentices, &c. shall be paid off, then the duties to be applied to the uses of this act. 8 Annæ, c. 9.

VIII. *And whereas the said duties and impositions on candles, and rates on monies or other consideration to be given with clerks, apprentices, or servants, which were granted by the last-mentioned act, are thereby made subject and liable to the satisfaction of certain principal sums which were borrowed upon the same act, and the interest due and to be due for the same, (which principal and interest are to be duly paid off and discharged in the first place)* now it is hereby further declared and enacted by the authority aforesaid, That from and immediately after the time that all the principal and interest monies, which by the said last-mentioned act are charged or chargeable on the several duties on candles, and rates on money or other consideration to be given with clerks, apprentices, and servants, shall be fully paid off and satisfied, according to the true meaning of the said last-mentioned act, or that sufficient money shall be reserved in the Exchequer for that purpose; then all the monies which from thenceforth shall arise by the said impositions on candles, and monies or other consideration to be given with clerks, apprentices, or servants, which were granted by the said last-mentioned act, as aforesaid, (except the necessary charges

charges of raising, levying, collecting, and accounting for the same) shall, from time to time, be paid into the receipt of the Exchequer distinctly, for the purposes in this act expressed, and for no other use, intent, or purpose whatsoever.

IX. And for the better securing the payment of the said interest monies or annuities, after the rate of six pounds *per centum per annum*, upon and for all the said debts, deficiencies, and sums of money, intended to be provided for by this act; and that all persons and corporations, concerned and to be concerned therein, their executors, administrators, successors, and assigns respectively, may have, receive, and enjoy, certain annuities or yearly payments, to be computed after the rate of six pounds *per centum per annum*, for the several and respective monies to them respectively due, and to grow due, according to the true meaning of this act, and such special benefit of trade, and other advantages as are hereafter in this act expressed, subject nevertheless to such power of redemption, as in this act is provided in that behalf; be it therefore enacted, and it is hereby enacted by the authority aforesaid, That the respective receivers general of the customs in *England* and *Scotland* for the time being, at their respective offices, from time to time, shall separate and keep apart, all and every sum and sums of money arising by such part of the several rates and duties, impositions, and additional impositions, and sums of money, hereby granted, continued, or appropriated, for the purposes in this act mentioned, as is or shall be under the care or management of the respective commissioners of the customs for the time being, as the same shall, from time to time, arise or be paid into the respective offices of the said receiver general of the customs, by the collectors of the same, or by any other person or persons whatsoever; and in like manner that the respective commissioners and governors of the revenue or receipt of excise in *England* and *Scotland* for the time being, at their respective head offices, from time to time, shall separate and keep apart all and every sum and sums of money arising by such or such part of the several rates, duties, and sums of money, hereby granted, continued, or appropriated, for the purposes in this act mentioned, as is or shall be under the care or management of the said commissioners and governors of the revenue, or receipt of excise, for the time being, as the same shall, from time to time, arise or be paid into the said offices of excise by the receivers or collectors of the same, or by any other person or persons whatsoever; and also that the commissioners for marking and stamping of vellum, parchment, and paper, or for managing the duties thereupon for the time being, shall, at their head office, cause to be separated and kept apart in like manner, all and every the monies arising by the rates upon monies or other consideration to be given with clerks, apprentices, or servants, hereby granted, continued, or appropriated, for the purposes in this act mentioned, which is under the care or management of the said commissioners or managers last-mentioned; for the time being, as the same shall, from time to time, arise

Commissioners of the customs to keep apart the monies arising by this act.

And the commissioners of the excise;

and the commissioners of the stamp duties.

The money to be paid weekly into the Exchequer.

rise or be paid into the said office of the said stamps by the receivers or collectors of the same, or by any other person or persons whatsoever; and as well the said receivers general of the customs, and the said commissioners and governors of the said revenue or receipt of excise in *England*, as the said commissioners for marking vellum, parchment, and paper, or for managing the duties thereupon, for the time being respectively, are hereby required and strictly enjoined, from time to time, for ever, to pay weekly, to wit, on *Wednesday* in every week, if it be not a holyday, and if it be, then the next day after that is not a holyday, all and every the monies arising by such or such parts of the several and respective duties, rates, impositions, additional impositions, and sums of money, hereby granted, continued, or appropriated, as is or shall be under the care or management of the said commissioners, governors, or managers respectively, into the receipt of the Exchequer of her Majesty, her heirs and successors, distinct and apart from all other monies whatsoever; and the receivers general of the customs and excise of *Scotland* for the time being respectively, are hereby required and strictly enjoined, from time to time, to transmit and pay into the said receipt of the Exchequer in *England*, distinct and apart, as aforesaid, all the monies which shall arise in *Scotland*, as aforesaid, for the purposes in this act expressed.

Books for entry to be kept in the Exchequer.

X. And be it further enacted by the authority aforesaid, That there shall be, from time to time, for ever, provided and kept in the Exchequer, (that is to say) in the office of the auditor of the receipt, several books, in which all the monies which ought to be paid in weekly, or otherwise, as aforesaid, and which shall be brought into the same receipt, shall be entred apart and distinct from all other monies paid or payable to her Majesty, her heirs or successors, upon any account whatsoever.

Commissioners, &c. not paying or misapplying the monies, forfeit their places, &c.

XI. And be it further enacted, That if the said receivers general of the customs, commissioners, or governors of the revenue or receipt of the excise, or the said commissioners for marking of vellum, parchment, and paper, or for managing the duties thereupon, for the time being respectively, shall refuse or neglect to pay, or cause to be paid into the Exchequer, all or any the sums appointed to be paid by them severally, as aforesaid, in such manner as they are respectively required by this act, or shall divert or misapply any part of the same, then they and every of them so offending, shall forfeit their several offices and places, and shall be incapable to serve her Majesty, her heirs or successors, in any office or place of profit or trust whatsoever, and shall be liable to pay double the value of all and every sum and sums of money so diverted or misapplied, with full costs of suit, to any person or persons, body politick or corporate, who shall be entitled to any annuity or payment out of the fund by this act settled, and will sue for the same forfeiture by action of debt, or of the case, bill, suit, or information, founded upon this act, in any court of record of her Majesty, her heirs or successors, wherein no essoin, protection, privilege

of parliament, or other privilege whatsoever, wager of law, or more than one imparlance, shall be granted or allowed.

XII. And be it further enacted by the authority aforesaid, That the head offices of the customs and excise, and the chief office for the marking of vellum, parchment, and paper, shall for ever be severally and respectively continued, with a sufficient number of commissioners, and a comptroller in each and every of them, for performing and executing such matters and things as are by this act enjoined to be done or performed by such commissioners and comptrollers respectively, according to the true meaning hereof.

Head offices
of the customs,
excise, &c
continued for
ever.

XIII. And be it enacted by the authority aforesaid, That the respective comptrollers in the said respective offices for the time being, shall keep perfect and distinct accounts in books fairly written, of all the monies which shall arise of or for the said several and respective impositions, additional impositions, duties, rates, and sums of money, by this act granted, continued, or appropriated, as the same shall from time to time arise, or be raised; to which books all persons concerned shall have free access at all seasonable times, without fee or charge; and if any such comptroller or comptrollers, as aforesaid, shall neglect his or their duty therein, then he or they so offending shall forfeit his or their office or offices, and places, and be rendred incapable, as aforesaid, and shall also forfeit the sum of one hundred pounds to any person or persons, body politick or corporate, entitled to any annuity or payment by this act, and that will sue for the same, as aforesaid, together with full costs of suit, to be recovered, as aforesaid.

Comptrollers
in the respec-
tive offices to
keep distinct
accounts of
the monies a-
rising by this
act.

XIV. And be it further enacted, That if any collector or receiver of any the impositions, additional impositions, duties, rates, or sums of money, by this act granted, continued, or appropriated, shall detain all or any part of the monies by him collected or received, contrary to his duty, then he or they, for such offence, shall be dismissed from his or their employment, and be charged with interest for the monies so by him or them detained, after the rate of twelve pounds *per centum per annum*, and be liable to answer treble damages to all and every person and persons, bodies politick or corporate, that shall be grieved by such detention, and who will sue for the same, in manner as aforesaid: and if any collector or receiver of any of the said impositions, additional impositions, duties, rates, or sums of money, hereby granted, continued, or appropriated, shall divert or misapply all or any part of the monies by him or them collected or received, contrary to the true meaning of this act, then he or they, for every or any such offence, shall be dismissed from his employment, and rendred incapable to serve her Majesty, her heirs and successors, as aforesaid, and shall moreover forfeit double the sum or sums so by him or them diverted or misapplied, to any person or persons, bodies politick or corporate, who shall be entitled to any annuity or payment out of the

Collector, &c.
detaining the
monies, to be
dismissed, &c.

the fund by this act settled, and will sue for the same, as aforesaid.

Directions in
r W. & M.
stat. 2. c. 1.
revived,

XV. And to the end the sums by this act appropriated, may not be diverted or applied to any other purposes than are hereby directed or intended; be it further enacted by the authority aforesaid, That the rules and directions appointed and enacted in one act made in the first year of the reign of their said late majesties King *William* and Queen *Mary*, intituled, *An act for granting to their Majesties an aid of two shillings in the pound for one year*, for the speedy payment of money thereby granted into the receipt of Exchequer, by the collectors and receivers, and for the distribution and application thereof, and keeping distinct accounts of the same, and all other provisions, pains, penalties, and forfeitures thereby enacted, in case of diversion or misapplication of any money thereby appropriated, are hereby revived and enacted to be in force, and shall be applied, executed, and put in ure, for and concerning the distribution and application of the said sums hereby appropriated, as fully, amply, and effectually, as if the same were particularly repeated and re-enacted.

Treasury to
cause an ac-
count to be
made quarter-
ly till 25 Dec.
1716, of all
monies to
come in upon
the funds ap-
pointed.

XVI. And whereas the funds hereby settled and appropriated will not be sufficient to pay all the said annuities, after the rate of six pounds per centum per annum, for all the debts, deficiencies, and sums of money intended to be provided for by this act, until the five and twentieth day of December, one thousand seven hundred and sixteen; to the intent a full, sufficient, and unquestionable provision may be made for all the said annuities, after the rate of six pounds per centum per annum, until the said five and twentieth day of December, one thousand seven hundred and sixteen; be it therefore enacted by the authority aforesaid, That quarterly in every year, until the said five and twentieth day of December, one thousand seven hundred and sixteen, that is to say, on or within twenty days next after every five and twentieth day of *March*, four and twentieth day of *June*, nine and twentieth day of *September*, and five and twentieth day of *December*, which shall be before the five and twentieth day of *December*, one thousand seven hundred and sixteen, the commissioners of the treasury now being, or the lord high treasurer, or commissioners of the treasury for the time being, shall cause a true and exact account to be made of all the monies, which on or before the said respective quarter-days last mentioned, shall have come or be brought into the receipt of Exchequer, for or upon the said funds hereby appointed (the first of which accounts shall be made on or within twenty days next after the five and twentieth day of *March*, one thousand seven hundred and twelve;) and if upon making every or any such accounts, so much monies as shall appear to have come into the receipt of Exchequer, upon or for the said funds hereby appointed, shall fall short of one fourth part of the said annual sum of five hundred sixty-eight thousand two hundred seventy nine pounds and ten shillings, or of such proportionable part thereof as shall be due, as herein after is mentioned, with-

in or for the preceding quarter of a year: and then and so often, and in every such case, it is hereby declared and enacted, That every such deficiency and deficiencies shall, immediately after the same shall appear, be provided for, answered, and made good, by or out of any such publick monies, tallies, orders, or other parliamentary securities, as shall be then in the hands or power of the treasurer or paymaster of her Majesty's navy for the time being, when such deficiency shall happen, upon which there shall not be at that time an actual direction; and in case there shall not be then sufficient of such publick monies, tallies, orders, or other parliamentary securities, in the hands or power of the said treasurer or paymaster of the navy, as aforesaid, to make good and complete such deficiency, then and in such case, all the publick monies, tallies, orders, and parliamentary securities, which shall (at the time of such deficiency happening) be in the hands or power of the treasurer or paymaster of her Majesty's navy for the time being, upon which there shall not at that time be an actual direction, so far as the same will extend, shall be immediately paid and applied towards making good every such deficiency; and the residue and remainder of every such deficiency shall be made good, paid, and discharged by and out of the first and next publick monies, tallies, orders, or parliamentary securities, which shall come to the hands or power of the treasurer or paymaster of her Majesty's navy for the time being (after every such deficiency shall happen) and the same shall not be applied or diverted to any other use; and the treasurer or paymaster of her Majesty's navy for the time being, is and are hereby authorized and required to make such payment and application for and towards making good such deficiency and deficiencies, as aforesaid, when and as often as the same shall happen, without fee or charge, and without any further or other warrant or authority, to be sued for, had, or obtained in that behalf from her Majesty, her heirs or successors, or any other person or persons whatsoever; the said payment and application to be made and paid to the cashier or treasurer of the said company or corporation to be erected in pursuance of this act, for the use of the said company or corporation.

Deficiency to be made good by the treasurer of the navy out of tallies, orders, &c.

XVII. And to the end the service of the navy may not be lessened, or prejudiced by such application of the money, tallies, orders, or other publick securities, which shall be in the hands or power of the treasurer or paymaster of the navy, and which shall be by him applied to the making good such deficiency, as aforesaid; be it enacted by the authority aforesaid, That in the month of *January*, yearly and every year, until the said five and twentieth day of *December*, one thousand seven hundred and six-
 teen, the commissioners of the treasury now being, or the lord high treasurer, or commissioners of the treasury for the time being, shall cause an estimate or computation to be made by a medium of the three preceding years, how much the funds hereby settled and appointed for payment of the said annuities, after the rate of six pounds *per centum per annum*, will produce for the en-
 suing

An estimate to be made by a medium of three preceding years, how much the funds will produce.

To be laid be-
fore the com-
mons.

fining year, commencing from the five and twentieth day of *De-
cember* next ensuing such estimate or computation, and how much
the same will fall short of answering and paying the said annual
sum of five hundred sixty eight thousand two hundred seventy
nine pounds, and ten shillings, or such proportionable part
thereof, as shall be due, as herein after is mentioned; and shall
cause the said estimate or computation to be laid before the com-
mons in parliament assembled, at their then session (if then ac-
tually sitting) or if the parliament shall not be then sitting, in
such case at their first or next session; to the end a good, suffi-
cient, and effectual provision and supply may be granted to her
Majesty, her heirs and successors, by parliament, for the making
good, for the service of the navy for that year, so much monies
as shall, by such estimation or computation, appear necessary to
make good such deficiency, to be accordingly granted or provid-
ed: but the delay of making such provision by parliament, as is
last mentioned, shall not be any stop or detriment to the making
good, in manner aforesaid, the deficiency which shall so happen,
as aforesaid, of and for the said funds hereby settled and ap-
pointed for paying the said annual sum of five hundred sixty eight
thousand two hundred seventy nine pounds and ten shillings, or
such proportionable part thereof, as shall be due, as herein after
is mentioned, but the same shall be answered, paid, and made
good in manner, as aforesaid; any thing herein contained, or
any law, statute, or usage of the navy, or other matter or thing,
to the contrary in any wise notwithstanding.

Cashier of the
company to
give a receipt
to the treasur-
er of the navy.

XVIII. And to the end the treasurer or paymaster of her
Majesty's navy, for the time being, may be regularly discharg-
ed of all such publick monies, tallies, orders, and other parlia-
mentary securities, as he or they shall pay and apply towards
making good any such deficiency of the said annual sum of five
hundred sixty eight thousand two hundred seventy nine pounds,
and ten shillings, or of such proportionable part thereof, as shall
be due, as herein after is mentioned; it is enacted, That the
treasurer or cashier of the company or corporation to be erected
in pursuance of this act, shall from time to time give a receipt
or receipts in writing to the said treasurer or paymaster of the
navy, for all such publick monies, tallies, orders, and other
parliamentary securities, as he shall so apply or pay towards mak-
ing good such deficiency, as aforesaid; which receipt and re-
ceipts shall be a good and sufficient voucher and vouchers to the
said treasurer and paymaster of the navy for the same, and shall,
in the passing of his and their accounts, be admitted and taken
accordingly by the auditors of her Majesty's imprests for the time
being.

Which receipt
shall be admit-
ted as a suffi-
cient voucher.

Treasurer not
paying, to in-
cur like penal-
ties as officers
of the exche-
quer are liable
to.

XIX. Provided always, and be it further enacted, That if
the treasurer or paymaster of her Majesty's navy, for the time
being, shall refuse or delay to make such payment and applica-
tion, as aforesaid, of any of the publick monies, tallies, orders,
or other publick securities, as shall be in his or their hand or
hands, or power, for or towards making good such deficiency
and

and deficiencies of the said annual sum of five hundred sixty eight thousand two hundred seventy nine pounds, and ten shillings, or of such proportionable part thereof, as shall be due, as herein after is mentioned, when and so often as such deficiency or deficiencies shall happen, such treasurer and paymaster of the navy shall incur the like penalties, forfeitures, and disabilities, as any of the officers of the Exchequer are hereby subjected and made liable to for diverting or misapplying any of the monies, which shall come into the receipt of the Exchequer, upon or for the funds hereby appointed for payment of the said annuities after the rate of six pounds *per centum per annum*, and to be recovered in like manner.

XX. And be it further enacted by the authority aforesaid, That yearly and every year for ever, reckoning the first year to begin from the five and twentieth day of *December*, which shall be in the year of our Lord one thousand seven hundred and sixteen, the full annual sum of five hundred sixty-eight thousand two hundred seventy nine pounds, and ten shillings, or such proportionable part thereof as shall be due, as is herein after mentioned, by or out of the monies to arise by the said several duties, as well upon salt and rock-salt, as upon wine, vinegar, tobacco, *East India* goods, raw-silks, and other goods and merchandizes imported, granted, continued, or appropriated, and every of them, and to be brought into the receipt of Exchequer, in case the same payments shall extend thereto; and in case the said weekly or other payments shall not amount to five hundred sixty eight thousand two hundred seventy nine pounds, and ten shillings *per annum*, or such proportionable part thereof as shall be due, as herein after is mentioned, then the said weekly monies, or other payments, so far as the same will extend, shall be part of the yearly fund for and towards the answering and paying the several and respective annuities, or yearly payments, in this act hereafter expressed.

XXI. And be it further enacted, That all the sums of money arising by the said rates, duties, impositions, additional impositions, and sums of money, by this act granted, continued, or appropriated, as aforesaid, which shall, from time to time, be brought into the receipt of the Exchequer, or so much thereof as shall be sufficient to make up and complete the said yearly fund of five hundred sixty-eight thousand two hundred seventy nine pounds, and ten shillings, or such proportionable part thereof, to be due, as herein after is mentioned, shall be appropriated, set apart, and applied, and the same are hereby appropriated for and towards the raising and making good the said yearly fund of five hundred sixty eight thousand two hundred seventy nine pounds, and ten shillings, or such proportionable part of the same, and shall be issued and paid out of the said receipt of Exchequer by the respective officers of the same, as herein after is mentioned, without fee or charge, and without any further or other warrant to be sued for, had, or obtained from her Majesty, her heirs and successors, in that behalf, and shall

shall be applied to and for the uses and purposes in and by this act expressed and intended, and to no other use, intent, or purpose whatsoever; and that the respective officers in the Exchequer, who shall make any delay in issuing or paying the said money to the said uses by this act intended, or shall be guilty of diverting or misapplying any of the said monies to any other use or purpose, contrary to this act, for any such offence, shall be adjudged from their respective offices and places, and be rendered incapable to serve her Majesty, her heirs and successors, in any office or employment of trust or profit whatsoever, and also shall be liable to pay double the value of any sum or sums so delayed to be paid, or so diverted or misapplied, as aforesaid, to any corporation, or other person or persons that shall be grieved thereby, and who will sue for the same, to be recovered as aforesaid.

Deficiency to
be made good
by parliament.

XXII. And be it further enacted by the authority aforesaid, That in case the said duties arising or appropriated by this act shall at any time or times appear to be so deficient in the produce of the same, as that within any one year, to be reckoned from and after the five and twentieth day of *December*, in the year of our Lord one thousand seven hundred and sixteen, the said weekly or other payments upon the same rates or duties shall not amount to so much as shall be sufficient to discharge and satisfy the said yearly sum of five hundred sixty eight thousand two hundred seventy nine pounds, and ten shillings, or such proportionable part thereof, as aforesaid, by this act appointed, or intended to be paid within or for the same year respectively, that then, and so often, and in every such case, it is hereby declared and enacted, That every such deficiency and deficiencies shall be provided for, answered, and made good by or out of the next aids to be raised and granted by parliament, and shall be appropriated and applied for and towards making good the deficiency which shall so happen of the said yearly sum of five hundred sixty eight thousand two hundred seventy nine pounds, and ten shillings, or such proportionable part thereof, as aforesaid, and to no other use, intent, or purpose whatsoever.

Surplus to be
applied to-
wards dis-
charging prin-
cipal.

XXIII. Provided always, and be it further enacted, That in case there shall be any surplus or remainder of the monies arising by the rates and duties, and sums of money granted or appropriated by this act, at the end of any one year after all the said annuities, charges, and payments, directed or authorized by this act, shall be fully satisfied, paid, and discharged, or money sufficient shall be reserved for that purpose, such surplus or remainder shall be applied, from time to time, for and towards paying and discharging the principal money of the said capital stock of the said intended company, so far as the same will, from time to time, extend; and that the said yearly sum of five hundred sixty eight thousand two hundred seventy nine pounds, and ten shillings, or such proportionable part thereof, as is intended by this act to be provided for, shall be, from time to time,

time, lessened and abated in proportion to such part of the said principal or capital stock of the said company, which shall be so paid off; that is to say, that out of the yearly sum of five hundred sixty eight thousand two hundred seventy-nine pounds, and ten shillings, to be annually payable to the said company by virtue of this act, and according to the true meaning thereof, there shall be deducted so much money yearly and every year, as shall be after the rate of six pounds *per centum per annum* for the principal sum, which shall be so paid off and discharged, or which the capital stock of the said company shall really and *bona fide* consist of, for the time being, less than the said principal or capital stock, or sum of nine millions four hundred seventy one thousand three hundred and twenty five pounds; such deduction and deductions to begin and be made from such respective time and times as such principal money shall be so paid off and discharged, or the said capital stock so lessened, as aforesaid: it being the true intent and meaning of this act, that the annuity so to be paid, by virtue of this act, unto the said intended company of corporation to be erected in pursuance of this act, shall be after the rate of six pounds *per centum per annum* for every hundred pounds, which the principal or capital stock of the said company or corporation shall, for the time being, consist of, and proportionably for a lesser sum than one hundred pounds, and not any further or other sum or sums in respect of the said annuity.

XXIV. Provided always, and it is hereby declared and enacted, That, at any time, upon one year's notice, after the five and twentieth day of *December*, in the year of our Lord one thousand seven hundred and sixteen, upon repayment by parliament of the principal sum, of which the capital stock of the said intended company shall, for the time being, consist, unto the respective contributors of the same, or to such person or persons as by, from, or under them, shall be entitled to the said annuity or shares of the said yearly fund or capital stock, in respect of the same, and of all arrears of the said annuities or yearly payments, or upon payment out of such surplus money, as aforesaid, of all the said principal or capital stock of the said intended company, and all arrears of the said annuity payable to them, as aforesaid, then and from thenceforth all and every the impositions, and additional impositions, duties, rates, and sums of money hereby granted, continued, or appropriated, shall and may be disposed of by parliament; and also the said yearly fund charged thereupon, and the said annuities issuing out of the same, shall absolutely cease and determine; any thing herein contained to the contrary notwithstanding.

On one year's notice, after 25 Dec. 1716. and repayment, annuities to cease. Explained by 10 Ann. c. 30.

XXV. And forasmuch as it will be for the great ease and advantage of the persons concerned in the said debts and deficiencies, that they should be made one society or company, and that the payments from the Exchequer will be much easier made to such society, or their cashiers, for the use of, and to be by them distributed to the respective persons interested in the said debts, deficiencies, and other monies, intended

Her Majesty
by letters pa-
tents may in-
corporate the
company.

to be hereby charged on the said funds, than if the same were to be paid in the usual forms of the Exchequer to every person concerned; and to the end and intent that the trade to the South Seas, and other parts within the limits herein after mentioned, may be carried on for the honour and increase of the wealth and riches of this realm; be it enacted by the authority aforesaid, That it shall and may be lawful for her Majesty, her heirs and successors, by letters patents under the great seal of Great Britain, to incorporate all and every the person and persons, natives and foreigners, bodies politick or corporate, who are and shall be interested in or entitled unto any of the bills, tickets, debentures, or certificates, or other publick debts, deficiencies, or sums of money, intended to be provided for by this act, and all and every person and persons, bodies politick and corporate, who as executors, administrators, successors, or assigns, or by any other lawful title, derived or to be derived from, by, or under the original proprietors, at any time or times hereafter, shall have and be entitled to any part, share, or interest of or in the said yearly fund by this act settled, as aforesaid, so long as they respectively shall have any such part, share, or interest therein, to be one body politick or corporate, in deed and in name, and by such name as her Majesty, her heirs or successors shall think fit, and by that name to have perpetual succession, and a common seal, with power, from time to time, to choose their governors, directors, and other officers, in such manner, and under such qualifications, as to the electors and elected, as shall be directed in such letters patents; the first governor and directors to be nominated by her Majesty, her heirs and successors in the said letters patents, the said first governor and directors being so qualified, as all subsequent governors and directors shall be qualified, and to continue in their respective offices for one year only; and that the persons so incorporated and their successors, by the same name, shall be able and capable in law to have, purchase, receive, enjoy, possess, and retain, to them and their successors, lands, rents, tenements, and hereditaments, not exceeding the yearly value of one thousand pounds, together with such powers, capacities, privileges, immunities, and advantages, and subject to and under such rules, conditions, limitations, and restrictions, as her Majesty, her heirs or successors, in her or their great wisdom shall think fit, and to do and execute all and singular matters and things by the same name that to them shall or may appertain to do.

Her Majesty
by the said
letters, or by
commission,
to direct the
ordering of
the tallies,
joint stock,
&c.

XXVI. And it is hereby further enacted by the authority aforesaid, That it shall and may be lawful to and for her Majesty, her heirs and successors, by the said letters patents of corporation, or by any commission or commissions under the great seal of Great Britain, to be granted before or after the said letters patents, to direct and appoint how and in what manner the tallies and orders, bills, tickets, certificates, or debentures, intended to be provided for by this act, and also the money hereby intended to be made part of the capital stock of the said corporation,

corporation, upon account of the publick, shall or may be subscribed, admitted, or taken into, or be made part of the said capital stock of the said company or corporation; and also to direct how and in what manner such part of the stock of the said corporation, which is hereby intended to be for the use of the publick, shall and may be disposed and applied to the use of the publick, and accounted for; and also how and in what manner the said tallies, orders, tickets, certificates, bills, or debentures, intended to be taken into the joint stock of the said corporation, shall or may be disposed of, discharged, and accounted for; and also how the property of all persons interested in the said tallies, orders, tickets, certificates, bills, or debentures, shall or may be ascertained, adjusted, and settled; and also that her Majesty, her heirs and successors, shall and may, in and by such commission and commissions as is last-mentioned, direct the commissioners therein to be named, how and in what manner to proceed in the execution of such commission or commissions; and also that it shall and may be lawful to and for her Majesty, her heirs and successors, in and by the said letters patents of incorporation, or by such commission or commissions, as afore said, to direct how and in what manner the proper officers of the Exchequer for the time being may know and be informed how much the capital stock of the said company doth, for the time being, consist of, and all other things requisite thereunto, that so the proper officers of the Exchequer may know whether they are to pay to the cashier of the said company, to the use of the said company, the said whole annual sum of five hundred sixty eight thousand two hundred seventy nine pounds, and ten shillings, or only a proportionable part thereof.

XXVII. *And whereas great part of the debt of the navy and victualling, and for transport service, and of the office of ordnance, is ascertained by bills or debentures payable in course, and other part of the debt of the navy is also ascertained by tickets made out for wages to seamen, and others who served on board any of her Majesty's ships, but great part of the said debt is for wages due to the seamen and workmen in her Majesty's docks and yards, for which the respective persons, to whom the same is due, have no bills, tickets, or debentures to ascertain the same; be it therefore enacted by the authority afore said, That the commissioners of the navy for the time being shall and are hereby required forthwith to cause an exact and true account to be made up and delivered unto the commissioners of the treasury now being, or the lord high treasurer, or the commissioners of the treasury for the time being, of the respective sums due from the said navy office, as well upon bills in course upon the second register book, as for the bills in course in the present register book, on or before the five and twentieth day of March, one thousand seven hundred and eleven, as well for principal as for interest, and also of all tickets made out, on or before the said five and twentieth day of March, one thousand seven hundred and eleven, for the wages of seamen, or*

Commissioners of the navy to cause an account of debts due from the navy office on 25 Mar. 1711. to be delivered to the treasury. Tickets for seamen's wages, how paid, 10 Ann. c. 26. s. 114.

And also the
commissioners
for victualling,
transports and
ordnance.

others, who have served on board any of her Majesty's ships; and also that the commissioners of the victualling, and the commissioners of transports, and the officers of her Majesty's office of ordnance respectively, shall and are hereby required forthwith to cause a true and exact account to be made up and delivered to the commissioners of the treasury now being, or the lord high treasurer, or commissioners of the treasury for the time being, of all the several and respective sums due from those several and respective offices, to the five and twentieth day of *March*, one thousand seven hundred and eleven inclusive, for which certificates or debentures, payable in course, are or shall have been made forth: and the commissioners of the treasury now being, or the lord high treasurer, or commissioners of the treasury for the time being, shall and are hereby required to cause all the said debts of the said several offices of the navy, victualling, transport, and ordnance, for which such bills, tickets, certificates, or debentures are, or, as aforesaid, shall have been made out, to be cast up into one total sum, and shall likewise cause to be cast up in one total sum, the several sums herein before mentioned to be computed to be the debt of all those several offices; and shall add to the said last mentioned total sum, the sum of five hundred thousand pounds herein before mentioned and agreed upon to be charged upon the funds hereby settled, as part of the provision for this present yearly service; and shall cause to be deducted out of the sums last mentioned, the sum total which all the debts of the offices of the navy, victualling, transport, and ordnance, to the five and twentieth day of *March*, one thousand seven hundred and eleven inclusive, as well for principal as interest, shall amount to, and for which such bills, tickets, certificates, or debentures are or shall have been made out; and so much as shall remain of the total sum herein computed to be the debt of the said offices, and of the said five hundred thousand pounds for this year's service, added together, after such deduction thereout, as aforesaid, shall be, and be deemed and taken to be publick money, and shall be made part of the capital stock of the company, to be erected by virtue of this act, for the use of the publick, in such manner as her Majesty, her heirs or successors, by the said letters patents of incorporation, or any commission or commissions under the great seal of *Great Britain*, or by privy seal or sign manual, shall think fit and direct; and the same, and the produce thereof, shall be disposed and applied, either for or towards paying the residue of the said debts, or for or towards any other publick uses, for which a supply has been, or shall be granted by parliament, and not otherwise; and the loss or discount (if any) by or upon the said stock in the said company, for the use of the publick, shall be accounted for, and the respective persons accountable for the same, or any part thereof, shall be discharged from such loss or discount, in such manner as her Majesty, her heirs or successors, by the said letters patents of incorporation, or by any commission under the great

Which debts,
&c. shall be
part of the
capital stock
of the com-
pany.

By 10 Ann.
c. 30. the du-
ties granted
by this act may
be disposed of
by parliament,
on repayment
of the princi-
pal.

By 1 Geo. 1.
st. 2. c. 21. s. 1.
228, 231. 4 s.
2 d. are added
to the capital
stock.

Seal of Great Britain, or by privy seal or sign manual, shall direct.

XXVIII. And be it further enacted by the authority aforesaid, That all such tallies and orders made out, in pursuance of the first herein recited or mentioned act, of the eighth year of her Majesty's reign, which on the first day of May, one thousand seven hundred and eleven, were in the hands or power of any of the treasurers or paymasters of any of the publick offices, shall or may be subscribed, admitted, or taken into, and made part of the joint stock of the said intended corporation, for the use of the publick, in such manner as her Majesty, her heirs or successors, by such commission or commissions, as aforesaid, or by privy seal or sign manual, or any three or more of the commissioners of the treasury now being, or the lord high treasurer, or any three or more of the commissioners of the treasury for the time being, by writing under his or their hand or hands, shall direct and appoint; which orders so to be brought into the joint-stock of the said company, shall be discharged from being paid in course, according to the said last mentioned act of the said eighth year of her Majesty's reign, but there shall be allowed for the principal and interest due for the same, to be computed as herein after is mentioned, an annuity after the rate of six pounds *per centum per annum* for every hundred pounds, the same being so computed, shall amount unto, and so proportionably for any lesser sum than one hundred pounds, and a proportionable part of all other privileges and advantages by this act granted to the said company: and all the stock in the said company, which shall be had for the said tallies and orders, shall be, and be deemed publick monies, and the same and the produce thereof, shall and may be applicable and applied to such publick uses as the said tallies and orders might have been applied to, or to any other publick use or uses for which a supply has been or shall be granted by parliament, and not otherwise; and if any loss or discount shall happen by the said stock, the respective person and persons who are accountable for the said tallies and orders, or who shall be accountable for the said stock, shall and may be discharged of such loss or discount (if any) in their accounts, in such manner as her Majesty, her heirs or successors, by such commission, as aforesaid, or by privy seal or sign manual, shall direct or appoint.

Tallies and orders, 8 Ann. c. 13. in any publick offices on 1 May, 1711, to be made part of the joint stock.

XXIX. And be it further enacted by the authority aforesaid, That all and every person and persons, bodies politick or corporate, who shall be interested in, or entitled unto, any bills or debentures, payable in course, out of her Majesty's several offices of the navy, victualling, transport, or ordnance, which were dated made or received in those respective offices, on or before the five and twentieth day of March, one thousand seven hundred and eleven, or to any certificates or debentures made out for the army, or for transport service for the late war, shall and may be admitted into the joint stock of the said company, and be and become members thereof, in proportion to such

Persons interested in such bills, &c. on 25 March, 1711. to be admitted into the joint stock.

How bills, &c. carrying interest shall be computed in order to their being admitted into the joint stock.

sum and sums as they shall be so entitled unto, to be computed, as herein after is mentioned, in such manner and form as her Majesty, her heirs or successors, by the said letters patents of incorporation, or by such commission or commissions, as aforesaid, shall direct; and that all the said bills, tickets, certificates, or debentures, and the money due thereupon, shall in order to their being admitted into the said joint stock, be cast up and computed as followeth, (that is to say) the principal sums of each bill, ticket, talley, certificate, or debenture, and the interest of such of them as do carry interest, to the five and twentieth day of *March*, one thousand seven hundred and eleven, shall be added together, and thereunto shall be added so much as the interest of such principal and interest, after the rate of six pounds *per centum per annum*, from the five and twentieth day of *March*, one thousand seven hundred and eleven, to the five and twentieth day of *December*, one thousand seven hundred and eleven, shall amount unto; and so much as each and every bill, ticket, certificate, or debenture, which doth carry interest, shall amount unto, (computed, as aforesaid) shall be the sum for which such bill, certificate, or debenture, shall be admitted into the joint stock of the said company; and as for such of the said bills, certificates, tickets, or debentures, as do not carry interest, there shall be added to the principal sum of each of them, so much money as the interest thereof, after the rate of six pounds *per centum per annum*, from the five and twentieth day of *March*, one thousand seven hundred and eleven, to the five and twentieth day of *December*, one thousand seven hundred and eleven, shall amount unto; and so much as each and every such bill, ticket, certificate, or debenture, shall, with the addition of such interest as is last mentioned, amount unto, shall be the sum for which such bill, ticket, certificate, or debenture shall be admitted into the joint stock of the said company; and that all and every person and persons, natives and foreigners, bodies politick and corporate, who are or shall be possessed of, interested in, or entitled unto, any of the said bills, tickets, certificates, or debentures, shall, for every hundred pounds which the same shall amount unto, being computed as aforesaid, have a credit, share, or interest in the joint stock of the said company for one hundred pounds, consequently for an annuity of six pounds *per centum per annum*, till redeemed, as in this act is mentioned, and so proportionably for a less sum than one hundred pounds.

Persons having tallies on 9 W. 3. C. 13. and 1 Annæ, Stat. 2. C. 4. to be admitted into the joint stock.

XXX. And be it further enacted by the authority aforesaid, That any person or persons, natives or foreigners, who are or shall be possessed of, interested in, or entitled unto, any of the tallies or orders made out in pursuance of the said acts of the ninth year of his late majesty King *William* the Third, and of the first year of her said now Majesty's reign, for laying certain duties on coals, culm, and cynders, shall, for so much as the principal and interest of such tallies and orders, to be computed in such manner as is herein before directed, concerning the

com-

computation to be made of principal and interest upon and for such of the navy and victualling bills as do carry interest, be admitted into, and made members of the said intended corporation, and shall have and be entitled unto a proportionable part of the yearly annuity or fund payable to the said corporation, and of all other privileges and advantages granted to the said corporation, in such manner as her Majesty, her heirs or successors, by the said letters patents of incorporation, or by such commission or commissions, as aforesaid, shall direct or appoint.

XXXI. And be it further enacted by the authority aforesaid, That any person or persons, natives or foreigners, bodies politick or corporate, who are or shall be possessed of, interested in, or entitled unto, any of the tallies and orders made forth in pursuance of the said first herein recited or mentioned act of the eighth year of her Majesty's reign, (other than of such of the said tallies and orders made out in pursuance of the said last mentioned act, as were, on the said first day of *May*, one thousand seven hundred and eleven, in the hands or power of the treasurers and paymasters of the publick offices, which are already herein before directed to be taken into the joint stock of the said corporation) and shall be minded and desirous to bring such tallies and orders into the said joint stock of the said corporation, and shall signify such their mind and desire in writing, to the managers or directors of the said corporation, on or before the said five and twentieth day of *December*, one thousand seven hundred and eleven, every such person and persons so signifying their mind and desire to be admitted into the joint stock of the said corporation, for or in respect of the said tallies and orders, shall, for so much as the principal and interest of such tallies and orders, (which they shall so desire to be taken into the said joint stock) to be computed in such manner as is herein before directed concerning the computation to be made of principal and interest upon and for such of the navy and victualling bills as do carry interest, be admitted into and made members of the said intended corporation, and shall have and be entitled unto a proportionable part of the yearly annuity or fund payable to the said corporation, and of all other privileges and advantages granted to the said corporation, in such manner as her Majesty, her heirs or successors, by the said letters patents of incorporation, or by such commission or commissions, as aforesaid, shall direct or appoint.

XXXII. Provided always nevertheless, and be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the managers and directors of the said intended corporation, at any time after the five and twentieth day of *December*, one thousand seven hundred and eleven, if they shall so think fit, to admit into the joint stock of the said corporation, or to purchase, pay off, and discharge, (in order to the admission into the joint stock of the said corporation, and to admit the same accordingly into the said joint stock) all or any

Persons having tallies on 8 Ann. c. 9. (except in the hands of the treasurers of the publick offices on 1 May, 1711.) may be admitted into the joint stock before 25 Dec. 1711.

Directors may admit, after 25 Dec. 1711. such persons into the joint stock.

of the tallies and orders made forth in pursuance of the said last mentioned act of the said eighth year of her said Majesty's reign; and the said tallies and orders shall be taken and admitted into the said joint stock, for such sum as the principal and interest, which shall be due upon the same respectively, shall amount unto, at the time or times of their admission into the said joint stock; and all the tallies and orders made forth in pursuance of the said last-mentioned act of the eighth year of her said Majesty's reign, which shall, as well before as after the said five and twentieth day of *December*, one thousand seven hundred and eleven, be taken or admitted into the said joint stock of the said corporation, shall from thenceforth be discharged from being payable in course out of the funds settled by the said act; and the respective owners and proprietors thereof shall from thenceforth, in lieu thereof, have and be entitled to an annuity, after the rate of six pounds *per centum per annum*, for the respective sums they shall amount unto, and proportionably for a lesser sum than one hundred pounds, to be paid out of the annual fund by this act made payable to the said company, until the said fund shall be redeemed, as in this act is mentioned.

Tallies, &c.
not taken into
the joint stock,
to be paid out
of the monies
arising by
8 Annæ, c. 9.

XXXIII. Provided also, and be it further enacted by the authority afore said, That until all the tallies and orders, made forth in pursuance of the said last-mentioned act of the said eighth year of her said Majesty's reign, shall be taken and admitted into the joint stock of the said corporation, a distinct and separate account shall be kept in the office of the auditor of the receipt of the Exchequer, of all the monies which shall arise or come into the said receipt of the Exchequer, which, by the said last-mentioned act of the said eighth year of her Majesty's reign, were applicable or appropriated to the payment of the principal or interest upon the said tallies and orders made forth in pursuance of that act; and the respective owners and proprietors of the said tallies and orders, which shall not be taken or admitted into the joint stock of the said corporation, shall have and receive, and be entitled to have and receive the interest and principal upon and for such tallies and orders, by and out of the monies arising and coming into the receipt of the Exchequer, which by the said last-mentioned act of the said eighth year of her Majesty's reign, were applicable or appropriated to the payment of principal and interest upon or for the tallies and orders made forth in pursuance of that act, in such and the like manner, proportion, and course of payment, as the same might or should have been paid, had not this act been made; any thing herein contained to the contrary thereof in any wise notwithstanding.

Till 25 Dec.
1713, the an-
nual sum of
568279 l. 10s.
to be paid to
the corpora-
tion.

XXXIV. And be it further enacted by the authority afore said, That until the five and twentieth day of *December*, which shall be in the year of our Lord one thousand seven hundred and thirteen, the whole and entire annual sum of five hundred sixty eight thousand two hundred seventy nine pounds, and ten shillings, shall be paid to the said corporation in such manner as in and

and by this act is directed, without any addition to, or deduction or abatement out of the same; and that within thirty days after the five and twentieth day of *December*, one thousand seven hundred and thirteen, the managers or directors of the said intended company or corporation, shall cause an exact account to be made of the sum total which the capital stock of the said company shall then consist of, and also of the particular tallies and orders, bills, tickets, certificates, and debentures, which shall have been taken or admitted into the said joint stock, and the sums for which respectively they were so taken or admitted; and also how much of the said capital stock shall have been subscribed or admitted for the use of the publick, as is herein before directed; and shall transmit such account or accounts, or duplicate thereof, under the hands of three or more of the directors and chief accountant of the said company, for the time being, to the office of the auditor of the receipt of Exchequer, and clerk of the pells, to be registred and recorded among the registers and records of the said respective offices; and the auditor of the said receipt of Exchequer, and clerk of the pells, are hereby required to return such duplicates, or true copies of them, under their respective hands, (being first registred and recorded in their said respective offices) so soon as conveniently may be, to the managers or directors of the said company, for the use of the said company, without fee or charge; and if by such account it shall appear that the annual sum which unto that time should have been paid to the said company, according to the true meaning of this act, was really less than the annual sum of five hundred sixty eight thousand two hundred seventy nine pounds, and ten shillings, that then, and in such case, so much money as shall have been paid unto the said company, more than by such account shall appear should or ought to have been paid to them, shall be deducted and abated to the said company by and out of the next accruing payment or payments of the said annual sum of five hundred sixty eight thousand two hundred seventy nine pounds, and ten shillings, or out of the proportionable part thereof; and in such case, from and after the said five and twentieth day of *December*, one thousand seven hundred and thirteen, there shall be paid and payable to the said company, only such proportionable part of the said annual sum of five hundred sixty eight thousand two hundred seventy nine pounds, and ten shillings, as shall be equal to the rate of six pounds *per centum per annum*, for such sum as the whole real capital stock of the said company shall, by such account, appear to be, or as shall be added to the said capital stock after the said five and twentieth day of *December*, one thousand seven hundred and thirteen, by such ways and means as are herein and hereby directed: and if by such accounts it shall appear, the joint stock of the said company shall amount to more than the aforementioned sum of nine millions four hundred seventy one thousand three hundred and twenty five pounds, so that the annuity for the same capital stock, after the rate of six pounds *per centum per annum*,

In 30 days after directors to cause an account to be made of the sum total of the capital stock, &c.

to be transmitted to the auditor of the receipt, &c.

If joint stock amount to less, than so much to be abated out of the next payment.

If joint stock amount to more, then to be made good, &c. till 25 Dec. 1716.

annum, shall amount to more than the said annual sum of five hundred sixty eight thousand two hundred seventy nine pounds and ten shillings, that then, and in such case, so much money as shall then have been paid to the said company less than after the rate of six pounds *per centum per annum*, for the then whole real capital stock of the said company, shall be immediately paid and made good to the said company, in such method and manner, and by such ways and means, as is herein and hereby directed for payment of the said annuity, until the said five and twentieth day of *December*, one thousand seven hundred and sixteen; and that from thenceforth, and at all times after, there shall be added to the said annual sum of five hundred sixty eight thousand two hundred seventy nine pounds and ten shillings, so much more money as shall make the same amount to six pounds *per centum per annum*, upon and for so much and such sum as the whole real capital stock of the said corporation shall then consist of; which additional annuity shall, from the said five and twentieth day of *December*, one thousand seven hundred and thirteen, to the five and twentieth day of *December*, one thousand seven hundred and sixteen, be paid and payable in such manner, and by such ways and means, as is herein before directed or prescribed for the paying and providing for the annuity payable to the said corporation, until the said five and twentieth day of *December*, one thousand seven hundred and sixteen; and that from and after the said five and twentieth day of *December*, one thousand seven hundred and sixteen, such additional annuity shall be and is hereby charged and chargeable upon, and made payable out of the said funds hereby settled for payment of the said annual sum of five hundred sixty eight thousand two hundred seventy nine pounds, and ten shillings, so and in such manner as if the same had been in every place throughout this act added thereunto; any thing herein contained to the contrary thereof in any wise notwithstanding: it being the true intent and meaning of this act, That there shall be paid and payable to the said corporation an annuity after the rate of six pounds *per centum per annum*, and proportionably for a less sum than one hundred pounds, for the whole sum, and no more nor less than the whole sum, which the capital stock of the said shall, for the time being, amount unto.

Afterwards to
be charged up-
on the fund
hereby settled.

Soe l. per
ann. to be
paid to the
cashier of the
company, for
their charges,
above the an-
nual sum.

XXXV. Provided nevertheless, for as much as the said intended company cannot be carried on, without a very great charge, which if the same be wholly born by the members of the said company, would lessen their annual interest, and may prove a great discouragement to them; be it therefore enacted by the authority aforesaid, That over and above the said annual sum hereby settled, to be paid to the said company, there shall be paid and payable to the said company, to be erected by virtue of this act, and their successors, until the said annual sum herein before settled, shall be redeemed, as aforesaid, or to such cashier or cashiers, person or persons, as shall be authorized under the common seal of the said company to receive the same, for

for the use of the said company, the further annual sum of eight thousand pounds, for and towards the charge of management of the said company; which annual sum of eight thousand pounds is hereby charged and chargeable upon, and made to be paid and payable by and out of the same funds, and at such time and times, and in such manner, and by the same ways, means, and methods as is and are herein and hereby prescribed, settled, or appointed for payment of the said annuities, after the rate of six pounds *per centum per annum*, for the total amount of the said capital stock of the said company.

XXXVI. And be it further enacted, That it shall and may be lawful to and for her Majesty, her heirs and successors, by any such commission, charter, or letters patents, as afore said, under the great seal of *Great Britain*, to limit, direct, and appoint, how, and in what manner and proportions, and under what rules and directions, the shares of all and every person and persons whatsoever, in the said yearly fund, and of and in the stock of the said intended company or corporation, and every or any part or proportion thereof, shall and may be assignable or transferrable to such person or persons only, as shall freely and voluntarily accept of the same, and not otherwise; and that all assignments and transferrences made in such manner, and no other, shall be good and available in the law.

Her Majesty
by commission
to appoint
how shares
shall be trans-
ferred.

XXXVII. And be it further enacted by the authority afore said, That the estates, interests and stocks of money of the said intended company or corporation, to be created or established in pursuance of this act, and the share and interest of each and every particular member thereof, and therein, and of and in the capital stock of the said company, shall be, and be adjudged, taken, and accepted, in construction of law, by all judges, and in courts of law and justice, and in all courts and places whatsoever, to be a personal, and not a real estate, and shall go to the executors or administrators of the person or persons dying possessed thereof, or entitled thereunto, and not to the heirs of such person or persons; any law, statute, usage, or custom to the contrary notwithstanding.

Stock in the
company a
personal
estate.

XXXVIII. And be it further enacted by the authority afore said, That the several annuities or payments issuing out of the said yearly fund, or the shares, parts, or interests of any members of the said intended company or corporation, of and in the principal or capital stock of the same, or of or in the benefit of trade to be annexed thereunto, in pursuance of this act, or the stock or money to be raised for that purpose, during the continuance of the same, shall be and are hereby exempted from any taxes, rates, assessments, or impositions whatsoever, by act of parliament or otherwise.

Stock exempted
from taxes.

XXXIX. Provided also, and be it further enacted, That if any infants shall, by the gift, devise, or decease of the parents or other relation of such infants, become entitled to any of the said tallies, orders, bills, certificates, or debentures, intended to be provided for by this act, in such case the guardian or guardians,

Guardians to
subscribe for
infants.

guardians, trustee or trustees of such infant or infants, shall or may be, and they are hereby, impowered and required, for the benefit of such infant or infants, to subscribe or put into the joint stock of the said corporation to be erected, as aforesaid, all such tallies, orders, bills, certificates, or debentures, to which such infant or infants shall be so entitled, and to make the payment for such subscription and subscriptions in the same bills, orders, certificates, or debentures; and such infant and infants shall, on making such subscriptions and payments, be, and be deemed and become the contributor thereof, and the said guardian or guardians, trustee or trustees, shall be discharged from the same; any thing herein contained, or any law, usage, or custom to the contrary in any wise notwithstanding.

Executors, administrators, trustees, and mortgagees, to subscribe such bills, &c. as they shall be possessed of.

XL. Provided also, and be it further enacted, That any person or persons, who, as executor or administrators, trustee or mortgagee, shall be or become possessed of, interested in, or entitled unto any of the bills, tickets, certificates, or debentures intended to be provided for by this act, shall and may, and they are hereby required to subscribe and put such bills, tickets, certificates, or debentures, as they shall be so possessed of, interested in, or intitled unto, into the joint stock of the said corporation; and as to executors or administrators, the stock they shall be entitled to, for or by means of such bills, tickets, certificates, or debentures, shall be the same assets in their hands, as the said bills, tickets, certificates, or debentures, were or would have been, had they not been put into the joint stock of the said company; and as to trustees and mortgagees, the stock which they shall be entitled unto in the said company, for or in respect of such trust or mortgaged bills, tickets, certificates, or debentures, which they shall so put into the joint stock of the said company, shall be subject and liable to the same trusts, and equity of redemption, as such bills, tickets, certificates, or debentures were or would have been, had they not been so put into the joint stock of the said company.

XLI. And forasmuch as several of the said bills, tickets, certificates, or debentures, or several parts or shares of and in some of them, have been seized or come into her Majesty's hands by extent or otherwise, and the other part and parts of the same do belong to several private persons; and several other of the said bills, tickets, certificates, or debentures, do or may belong to several persons jointly, which has proved and may prove very prejudicial (for want of a method of dividing and proportioning the same) to the several persons concerned therein, according to their several and respective proportions: now therefore be it further enacted by the authority aforesaid, That in all cases where any of the said bills, tickets, certificates, or debentures, either for the whole or any part thereof, are or shall be in the hands of her Majesty, her heirs or successors, the same shall be put into the joint stock of the said corporation, in such manner as any three or more of the commissioners of the treasury now being, or the lord high treasurer, or any three or more of the commissioners of the treasury for the

How bills, &c. coming into her Majesty's hands by extent, &c. or belonging to several persons jointly, shall be put into the joint stock.

the time being shall, by writing under their hand or hands, direct; and the stock of the said company, which shall be had for and in lieu of such bills, tickets, certificates, or debentures, or parts or shares of such bills, tickets, certificates, or debentures last mentioned, and the produce thereof, upon sale or otherwise, shall be applicable and applied to such use and uses as the same bills, tickets, certificates, or debentures, and such parts and shares thereof, should or might have been applied, had not the same been put into the joint stock of the said company; and the other parts and shares of such bills, tickets, certificates, or debentures, shall and may be put into the joint stock of the said corporation, by the respective owners and proprietors of such other respective parts and shares, in his, her, or their own respective name and names; and they shall and may be accordingly respectively admitted into, and become members of the said company, for so much as their said respective parts or shares of or in such bills, tickets, certificates, or debentures, shall amount unto; and that in all cases where any of the said bills, tickets, certificates, or debentures, do or shall belong jointly to several persons, each and every respective person interested in, or entitled unto any part or parts, share or shares of or in such bills, tickets, certificates, or debentures, shall and may subscribe or put his, her, or their respective part or parts, share or shares of and in such bills, tickets, certificates, or debentures, unto the said joint stock of the said company, in his, her, or their own respective name or names, and shall and may be accordingly admitted into, and become members of the said corporation, for so much as their said respective parts or shares of or in such bills, tickets, certificates, or debentures, shall amount unto.

XLII. And be it enacted, That no member of the said intended company, to be erected in pursuance of this act, shall, in respect of his or her being a member, governor, director, or manager thereof, or having any stock therein only, or by reason of any other matter or thing in this act contained, be disabled from being or continuing a member of parliament, nor shall be adjudged liable to be a bankrupt within the intent or meaning of all or any of the statutes made against or concerning bankrupts; and that no stock in the said intended company shall be subject or liable to any foreign attachment, by the custom of the city of *London*, or otherwise.

Members of the company may be members of parliament, and be not liable to be bankrupts,

XLIII. And for the better securing the privilege of the governor and company of the bank of *England*, granted to them by parliament, be it enacted by the authority aforesaid, That it shall not be lawful to or for the corporation to be erected in pursuance of this act, to borrow, owe, or take up any sum or sums of money on their bills or notes payable at demand, or at any less time than six months from the borrowing thereof; and that it shall not be lawful for the corporation to be erected by virtue of this act, to discount any bills of exchange, or other bills of exchange, or other bills or notes whatsoever, or to keep any books or cash for any person or persons, bodies politick or corporate

or to foreign attachment.

Company not to borrow money on bills, payable at demand, &c.

nor to discount bills,

corporate

corporate whatsoever, other than and only the proper books, money, and cash of the said corporation to be erected by virtue of this act.

The yearly fund to be paid weekly to the treasurer, &c.

XLIV. Provided always, and it is hereby further enacted, That the said yearly fund hereby established, shall (under the like penalties, as aforesaid) be issued at the said receipt-book or chequer, to the said company to be erected by virtue of this act, or to such treasurer or treasurers, cashier or cashiers, person or persons, as shall be appointed, under the common seal of the said company, to receive the same; and that the payment thereof shall and may be made weekly, as fast as the funds and duties, hereby appointed for payment thereof, shall produce money into the Exchequer for the same, so as by such weekly or other payments, the whole of the annuities, due to the said company at the end of any one quarter, be not exceeded.

Commissioners not subject to any incapacity, &c. except for breach of trust.

XLV. Provided always, and it is hereby enacted and declared, That the person to be named commissioners, in pursuance of this act, or any of them, shall not incur or be subject to any incapacity, forfeiture, or penalty whatsoever, for or in regard of their or any of their being named commissioners, or acting in or upon such commission, or any ways relating thereunto (except for breach of trust;) any law or statute to the contrary thereof in any wise notwithstanding.

XLVI. *And whereas it is of the greatest consequence to the honour and welfare of this kingdom, and for the increase of the strength and riches thereof, and for the vending the product and manufacture, goods and merchandizes of or brought into this kingdom, and employment of the poor, that a trade should be carried on to the South Seas, and other parts of America, within the limits herein after mentioned; which cannot so securely and successfully be begun and carried on, as by a corporation with a joint stock, exclusive of all others: now for the better encouragement of all and every the person and persons, bodies politick or corporate, who shall be or become members of the said company or corporation, to be erected, as aforesaid; and to the end and intent that a trade to the South Seas, and other parts of America within the limits herein after mentioned, may be carried on and promoted, for the advantage and honour of this kingdom; be it enacted by the authority aforesaid, That the corporation to be erected in pursuance of this act, and their successors, shall have and be entitled unto, and they are hereby entitled unto and vested, from the first day of August, one thousand seven hundred and eleven, for ever, in the sole trade and traffick into, unto, and from all the kingdoms, lands, countries, territories, islands, cities, towns, ports, havens, creeks, and places of America, on the east side thereof from the river of Aranco, to the southermost part of the Terra del Fuego; and on the west-side thereof, from the southermost part of the said Terra del Fuego, through the South Seas, to the northermost part of America; and into, unto, and from all countries, islands, and places within the said limits, which are reputed to belong to the crown of Spain, or*
which

The limits of the company's charter in the South Seas America:

which shall hereafter be found out or discovered within the said limits, not exceeding three hundred leagues from the continent of *America*, between the southernmost part of *Terra del Fuego*, and the northernmost part of *America*, on the west-side thereof, (except the kingdom of *Brazil*, and such other places on the said east-side of *America*, as are now in the actual possession of the crown of *Portugal*, and the country of *Surinam* in the possession of the states general of the *United Provinces*;) it not being intended that the sole trade to any part of the east-side of *America*, now in the actual possession of the crown of *Portugal*, or the states general, shall be granted or construed to be granted by this act; but that it may be and remain lawful for all, and every, or any the subjects of her Majesty, her heirs or successors, to trade and traffick to any part of the east-side of *America*, now in the actual possession of the crown of *Portugal*, or the states general, (but to no other part of *America* within the limits aforesaid) as fully and freely, in all respects, as they might or could do if this act had not been made; any clause, proviso, power, privilege, matter or thing, herein contained to the contrary thereof in any wise notwithstanding.

XLVII. And be it further enacted, That the said company None else to
to be erected in pursuance of this act, and their successors for traffick within
ever, and all and every person and persons, who from time to their limits.
time shall be licensed by the said corporation, to be erected in
pursuance of this act, to trade in the stead of them, shall and
lawfully may, for ever, from and after the said first day of *August*,
one thousand seven hundred and eleven, or by such factors,
agents, or servants, as they shall think fit to intrust, and to
and for no other person or persons whatsoever, freely to traffick
and use the trade of merchandize, into, unto, and from the
said *South Seas*, and other the parts within the limits aforesaid
(except as aforesaid) and into, unto, and from all or any the
kingdoms, lands, territories, islands, cities, towns, forts, ha-
vens, creeks, and places of *America*, or any of them, within the
limits aforesaid (except before excepted) where any trade or
traffick of merchandize is or may be used or had, and to and
from every of them.

XLVIII. And be it further enacted by the authority afore- Her majesty
said, That it shall and may be lawful to and for her Majesty, may empower
by her said charter or charters of incorporation, to empower the company
the said company or corporation, and their successors, to make to make laws
reasonable laws, constitutions, orders, and ordinances, from for the good
time to time, for the good government of the said trade to the government
of the trade.
South Seas, and other the parts within the limits aforesaid (ex-
cept before excepted) and of the traders, factors, agents, officers,
and others concerned in the same, and to inflict reasonable pe-
nalties and punishments by imprisonments, mulcts, fines, and
americiaments for any breach or breaches thereof, and to levy
such mulcts, fines, and americiaments, to the use of the said
company or corporation.

XLIX. And

Other persons
frequenting
the South
Seas, forfeit
ship and la-
ding, &c.

XLIX. And to the end the said *South Seas*, or the king-
doms, islands, havens, forts, cities, towns, and places, with-
in the limits aforesaid, or any of them, shall not, after the said
first day of *August*, one thousand seven hundred and eleven, be
visited, frequented, or haunted by any other of the subjects of
her Majesty, her heirs or successors, contrary to the true mean-
ing of this act; be it enacted by the authority aforesaid, That
if any of the subjects of her Majesty, her heirs or successors,
of what degree or quality soever they be other than the said
company or corporation, or their factors, agents or servants,
or other persons by them licensed thereunto, according to
the true meaning of this act, shall directly or indirectly
visit or frequent, trade, traffick, or adventure, into, unto, or
from the said *South Seas*, or other the parts within the limits
aforesaid, contrary to the true meaning of this act, or shall hire,
freight, or fit out any ship or ships, or lade or put on board
any ship or ships any goods or merchandizes whatsoever, with
intent to haunt, frequent, traffick, or adventure into, unto,
or from the said *South Seas*, or other parts within the limits
aforesaid, contrary to the true meaning of this act, every such
offender and offenders shall incur the forfeiture and loss of all
ships and vessels which shall be employed in such trade, with
the guns, tackle, apparel, and furniture thereunto belonging,
as also all the goods and merchandizes laden thereupon, and
all the proceed and effects of the same, and also double the
value thereof, viz. one fourth part thereof to the use of her
Majesty, her heirs and successors, one other fourth part thereof to
such person or persons as will seize, inform, or sue for the same,
and the other two fourth parts thereof to the use of the company
or corporation to be erected in pursuance of this act; such for-
feiture and penalty to be recovered, with full costs of suit, in
any of her Majesty's courts of record, in manner as aforesaid.

Company to
be sole own-
ers of all
islands, forts,
&c. they shall
discover, &c.
within their
limits :

L. And for the better encouraging of the said company to
be erected in pursuance of this act, to drive and carry on the
trade hereby granted to them; be it further enacted by the
authority aforesaid, That the said company, and their successors,
for ever, shall and may have, hold, and enjoy, to their own
use, and for the benefit of the members of such company, in
proportion to their stock, and without any account to be ren-
dered thereof to her Majesty, her heirs or successors, or to any
other person or persons whatsoever, all and every the islands,
cities, forts, towns and places whatsoever, which the said com-
pany, or their factors, agents or servants, or other persons,
which shall be employed or licensed by them to trade, as afore-
said, or such of the ships of her Majesty, her heirs or successors,
as she or they shall think fit to grant or allow for convoys, or
otherwise, for the defence, security, or carrying on the said
trade, shall discover or find out, seize, or possess, in any man-
ner whatsoever, within the limits aforesaid, (except before ex-
cepted) and shall be for ever the sole owners and proprietors
of all and every such islands, forts, towns and places, and all
their dependencies, to be holden of her Majesty, her heirs and
successors,

successors, in free and common socage by fealty, and rendering to her Majesty, her heirs and successors, the annual rent of one ounce of gold for the same (if demanded) and the said company and their successors shall and may have and hold for ever the sole trade to all such islands, forts, towns, and places, last mentioned.

LI. And be it further enacted, That the said company to be erected in pursuance of this act, shall and may have, hold, receive, take, and enjoy, to their own use, and for the benefit of the members of such company, in proportion to their stock, all and every such ships or vessels, and all their guns, ammunition, tackle, apparel, and furniture, and all such goods, merchandize and bullion, treasure and other things, which shall be taken as prize by the ships, factors, agents or servants, of or belonging to, or employed or licensed by the said company, within the limits aforesaid, or by such of the ships of her Majesty, her heirs or successors, as she or they shall think fit to grant or allow for convoys, or otherwise, for the defence, security, or carrying on the said trade, without any account to be rendered thereof to her Majesty, her heirs or successors, or any other person or persons whatsoever; save only that the officers and seamen, who shall be actually on board any of the said ships of her Majesty, her heirs or successors, which shall take, or be assisting to the taking any such ships or vessels, goods or merchandizes, as prize, shall have, or be entitled to such part and share thereof, as her Majesty, her heirs or successors, shall think fit and direct in by the charter of incorporation to be granted to the said company, and no other or greater part or share whatsoever; any thing herein contained, or any law, usage, or custom to the contrary thereof in any wise notwithstanding: and that it shall and may be lawful for the said company, and their successors, and the agents, factors, servants, and other persons to be employed or licensed by them, to trade, as aforesaid, to seize, by force of arms, or otherwise, the persons, ships, goods, merchandize, or other effects, of or belonging to any of the subjects of her Majesty, her heirs or successors, who shall haunt, frequent, traffick, trade or adventure into the said *South Seas*, or other the parts or limits aforesaid (except before excepted) contrary to the true meaning of this act; and to keep and detain to the use and uses of the said company, and their successors, for the benefit of the members thereof, in proportion to their stock, the ships, goods, merchandize, and other effects so seized, without any account to be rendered thereof, as aforesaid, and to bring or send into *Great Britain* the persons of such of the subjects of her Majesty, her heirs or successors, as shall be so seized, in order to their being prosecuted for such offence according to law.

And of all ships taken there as prize.

Seamen assisting to be rewarded as her Majesty by charter shall appoint.

Company may seize by force of arms, British ships trading in the South Seas.

LII. And be it further enacted, That in case any of the commanders or other officers of such ships of her Majesty, her heirs or successors, as shall be used or employed in or for the obtaining, promoting, securing, or carrying, on the said trade, shall not in all things lawful, during their being so employed, conform themselves to such rules, directions or instructions, commanded of ships, &c. not conforming to the company's rules, incapacitated, &c.

as they shall receive from the managers or directors of the said company, or the major part of them, in writing under their hands, every such commander and officer shall be forever incapable to serve her Majesty, her heirs or successors, in any office or place of trust or profit, and shall be liable to answer and pay to the said company, and their successors, double the value of all such loss or damage as the said company or their successors shall suffer or sustain by the breach of such orders, directions or instructions, to be recovered with full costs of suit, in any court of record of her Majesty, her heirs or successors, in manner aforesaid.

Persons born on board any ship, or in any place, belonging to the company, to be natural-born subjects.

LIII. And be it further enacted by the authority aforesaid, That all such persons as shall be born on board any of the ships of war, or other ships to be employed in or about the said trade, or who shall be born in any the lands, territories, countries, islands, forts, cities, towns or places, which shall be discovered or possessed by the said company, as aforesaid, or any of their dependencies, shall be, and be judged, deemed and taken to be born within the allegiance of her Majesty, her heirs and successors, and shall be, and be deemed, and shall have and enjoy all the privileges of the natural born subjects of her Majesty, her heirs and successors.

No embargo on company's ships, unless particularly mentioned.

LIV. *And forasmuch as the said trade does in a great measure depend upon the timely dispatch from Great Britain of the ships which shall be employed therein*, be it further enacted, That no ship or ships which shall belong to, or be hired, freighted, or employed by the said company to be erected, as aforesaid, or such persons as shall be licensed by them to trade within the limits aforesaid, shall be, and be liable to be stopped or detained by any embargo, or other restraint whatsoever, unless such ship or ships be particularly mentioned or named in such embargo, or order for restraint.

Her Majesty may grant further powers, &c. to the company by charter.

LV. And be it further enacted by the authority aforesaid, That it shall and may be lawful for her Majesty, her heirs or successors, by or in the said letters patents, or charter of incorporation, or by any other letters patents under the great seal of Great Britain, from time to time, to give and grant unto the said company, to be erected as aforesaid, such further and other powers, privileges, immunities, exemptions, and advantages, as she or they in her or their great wisdom shall think fit and convenient for the further and better promoting and encouraging the carrying on the said trade, hereby granted, and the maintaining and preserving the same, so always nevertheless as such powers, privileges, immunities, exemptions, and advantages, be not contrary to the known laws of this realm, or the prerogative of the crown, or the privileges of the governor and company of the bank of England.

Exception.

Officers of the customs, &c. to take the company's bonds for customs, &c.

LVI. Provided always, and it is hereby further enacted and declared, That upon any importation of any goods or merchandizes by the said company to be erected by virtue of this act, and in all other cases where security is or shall be required to

to be given by the said company to the crown, it shall and may be lawful for the commissioners, and officers of the customs, for the time being, and all other person, and persons, who are to take such security for the crown, and they are hereby required, from time to time, to take such security, by accepting and taking one or more bond or bonds, under the common seal of the said company, as well for all such of the customs and duties chargeable and to be charged upon the goods and merchandizes to be imported, as are bondable, and upon which bonds have been usually given, as for all such other matters and things for which security is to be given to the crown by the said company, as aforesaid; any law, statute, or usage to the contrary notwithstanding.

LVII. And be it further enacted, That all bonds or obligations under the common seal of the said company, shall charge as well the annual fund payable to the said company, by virtue of this act, as the other stock, effects, and estate of the said company, for the time being; and that all bonds or obligations, under the common seal of the said company, whereby the said company shall oblige themselves or their successors to pay any sum or sums of money, shall be assignable at law, and may be by endorsement to be made upon such bond or obligation under the hand or hands of the respective person or persons to whom such money shall, in such bond or obligation, be made payable, his, her, or their executors, administrators, or assigns, and not otherwise; and that such assignment and assignments shall vest the property of such bond or obligation, and of the money due or to be due thereupon, in the assignee or assignees, his, her, or their executors, administrators, and assigns, from and immediately after the making of such assignment; and every such assignee or assignees, his, her, or their executors, administrators, or assigns, shall and may in failure of payment of the money payable upon, or by virtue of such bond or obligation, bring and maintain, his, her, or their action of debt at law against the said company, or their successors, for the money which shall be due upon such bond or obligation, in all respects, as if such bond or obligation had been originally made unto, and the money thereon due had been made payable therein unto such assignee and assignees, their executors, administrators, or assigns; any law usage, or custom to the contrary notwithstanding: and that if any person or persons shall forge, or counterfeit, the common seal of the said company, or shall forge, counterfeit, or alter any bond or obligation under the common seal of the said company, or shall offer to dispose of or pay away any such forged, counterfeited, or altered bond, (knowing the same to be such) or shall demand the money therein contained or pretended to be due thereon, or any part thereof, of the said company, or any of their officers, (knowing such bond or obligation to be forged, counterfeited, or altered) with intent to defraud the said company, or their successors,

Company's bonds to charge their annual fund and stock, &c.

Such assignment to vest the property in the assignee.

Felony to counterfeit company's common seal or bonds.

successors, or any other person or persons whatsoever, every such person and persons so offending, and being convicted thereof in due form of law) shall be guilty of felony, and suffer such death as a felon, without benefit of clergy.

LVIII. Provided always, and be it further enacted, That it shall not be lawful for the company to be erected by virtue of this act, or their successors, agents, or factors, or any person or persons licensed by them, to proceed, sail, navigate, or go into any the limits before-mentioned, beyond the southernmost part of *Terra del Fuego*, except only through the freights of *Magellan*, or round *Terra del Fuego*, nor to go from thence into any part of the *East Indies*, nor return to *Great Britain*, or any other port or place in *Europe*, *Asia*, *Africa*, or *America*, by any other way except through the said freights of *Magellan*, or by *Terra del Fuego* aforesaid, under the penalties and forfeitures to be sued for and recovered, as is herein after mentioned; and also that it shall not be lawful for the said company, or their successors, agents, or factors, or any person or persons licensed by them, to trade, traffick, or adventure in any goods, wares, commodities, or merchandizes whatsoever, of the growth, product, or manufacture of the *East Indies*, *Persia*, *China*, or any other the countries, ports, or places within the limits granted to, or now vested in the united company of merchants of *England*, trading to the *East Indies*, and not hereby granted or intended to be granted, to the corporation to be erected by virtue of this act, or with any ships or vessels coming from the countries, or places aforesaid, (such *East India* goods, wares, commodities, or merchandize, as shall be actually exported from *Great Britain*, and also gold, silver, and wrought plate, goods, and commodities that are the produce, growth, or manufactures of the *West Indies*, or continent of *America*, only excepted) under the penalties and forfeitures to be sued for and recovered, as is herein after mentioned; and further, that it shall not be lawful for the said company intended to be erected, as aforesaid, or their successors, agents, or factors, or any person or persons licensed by them, to send, employ, or use any ship, vessel, boat, or bark whatsoever, within the said *South Seas*, from *Terra del Fuego*, to the northernmost part of *America*, above three hundred leagues to the westward of and distant from the lands, countries, and shores of *Chili*, *Peru*, *Mexico*, *California*, or any other the lands and shores of southern or northern *America*, contained between the said *Terra del Fuego*, and the said northernmost part of *America*; upon pain and penalty that all such ships, vessels, boats, and barks whatsoever, going in or returning from the *South Seas*, otherwise than as aforesaid, or sent, employed, or used, sailing, proceeding, or being, contrary to the true intent and meaning hereof, and all the goods, wares, and merchandizes on board them, together with their guns, tackle, apparel, and furniture, and likewise all the goods, wares, commodities, and merchandizes of the *East Indies*, *Persia*, *China*, or other the limits aforesaid, so

traded.

Company not to sail beyond the southernmost part of *Terra del Fuego*, or into the *Indies*, &c. except through the freights of *Magellan*, or round *Terra del Fuego*: Not to trade in *East India* goods, &c.

Nor to send ships in the *South Seas* above 300 leagues to the westward of *Chili*, &c.

on forfeiture of ships, goods, &c.

traded in as aforesaid, (except as before excepted) shall and may be seized and forfeited, and double the value thereof shall also be forfeited by the owners, masters, or employers thereof, or traders therein; one third part of all which forfeitures to be to her Majesty, her heirs and successors, and the other two third parts thereof to the said united company of merchants of *England* trading to the *East Indies*; to be recovered with full costs of suit in any of her Majesty's courts of record at *Westminster*, by action of debt, bill, plaint, or information.

LIX. And for as much as nothing can more conduce to the encrease of the strength and riches of this kingdom, and the breeding able seamen to serve her Majesty, as well in time of war as peace than the preserving and enlarging the fishery of this realm; be it therefore enacted by the authority aforesaid, That it shall and may be lawful for her Majesty, her heirs and successors, in and by her said letters patents of incorporation, or by any other letters patents under the great seal of *Great Britain*, to direct a stock to consist of twenty shillings upon every hundred pounds of the capital stock of the said intended company, to be raised by the members thereof, in proportion to their stock, at such times, and in such manner, as her Majesty, her heirs or successors, by such letters patents shall think fit and direct, so as no other of her Majesty's subjects be thereby excluded from the fishing trade; the said stock to be kept apart, and always employed in the improving, enlarging, and carrying on the fishery of this realm, or other fishery, for the use and benefit of the members of the said company, in proportion to their stock.

Stock for the fishery to be 20s. per 100l. of the capital stock.

LX. Provided always, and be it further enacted, That no money shall be called in from the members of the said corporation, to be erected in pursuance of this act, for carrying on the fishery, or other trade hereby granted, but by the order and direction of a general court of the said company to be called for that purpose, and whereof there shall be at least fourteen days notice in the *London Gazette*.

No money to be called in for the fishery but by a general court, &c.

LXI. And be it further enacted by the authority aforesaid, That no person shall be capable of being elected a governor, deputy governor, or director, of the said intended corporation, during the time that he shall be a governor, deputy governor, or director of either of the respective corporations of the bank of *England*, or of the united company of merchants of *England* trading to the *East Indies*; and every person who shall be elected a governor, deputy governor, or director of the said intended corporation, shall during the time he shall be such governor, deputy governor, or director, be incapable of being chosen a governor, deputy governor, or director of either of the said respective corporations of the bank of *England*, or of the united company of merchants of *England* trading to the *East Indies*.

Governor, &c. not to be governor, &c. of the bank or East India company, at the same time.

LXII. Provided also, and be it further enacted, That it may be lawful for any three or more of the commissioners of the treasury now being, or the lord high treasurer, or any three or more of the commissioners of the treasury for the time being,

Seamens tickets not disposed of may be paid

in ready
money.

to order and direct any of the tickets made out for the pay of any seamen, or others on board any of her Majesty's ships, and which shall appear not to have been sold, disposed of, or parted with, to be paid ready money, or to make any reasonable advance or allowance in consideration of such tickets being put or admitted into the joint stock of the said intended corporation; any thing herein contained to the contrary thereof notwithstanding.

3 & 4 Annæ,
c. 13.

LXIII. *And whereas by an act made in the third and fourth years of her present Majesty's reign, intituled, An act for prohibiting all trade and commerce with France, it is provided, That it shall and may be lawful for her Majesty's subjects to trade with the subjects of Spain, so as the said liberty shall not be construed to extend to permit or allow the carrying of the several goods and commodities therein particularly enumerated, among which commodities iron is mentioned, which by experience is found necessary to be traded in with the subjects of Spain; be it therefore enacted by the authority aforesaid, That it shall and may be lawful for any of her Majesty's subjects to carry unwrought iron, and trade in the same with any of the subjects of Spain; any thing in the said recited act to the contrary notwithstanding.*

Lawful to
trade in un-
wrought iron
to Spain.

7 & 8 W. 3.
c. 21.

LXIV. *And whereas by an act made in the seventh year of the reign of his late majesty King William the Third, of glorious memory, intituled, An act for the encrease and encouragement of seamen, it was enacted, That such seamen, and others, as are therein mentioned, who should be willing to enter and register themselves for service in the royal fleet or navy, should and might, by themselves or others, deliver in their names, with their ages and places of abode, and should be entred and registred, as by that act is prescribed; and that every seaman so registred, or such a number of them as are therein mentioned, should have from his said Majesty, his heirs and successors, (whether in actual service or not) a yearly bounty of forty shillings apiece; and divers other benefits, exemptions, privileges, and advantages were thereby given, or intended to be given to the seamen and others so registred, as in the said act is expressed: and whereas by an act made in the eighth year of the reign of the said late King William the Third, intituled, An act to enforce the act for encrease and encouragement of seamen, divers other provisions are made, and directions given touching the said registred seamen, as by the said several acts, relation being thereunto severally had, may more fully appear: and whereas the same acts, or either of them, have not had the good effects, which were intended thereby for the service of the crown, or for the encouragement of seamen, but on the contrary have occasioned much charge, vexation and trouble; be it therefore enacted by the authority aforesaid, That the said act, intituled, An act for the encrease and encouragement of seamen, and the said act, intituled, An act to enforce the act for the encrease and encouragement of seamen, and either of them, and all and every the clauses, matters, and things in them, and either of them contained, so far forth only as the same do or may concern the registering seamen, or persons who were thereby allowed or intended to be registred, of the sea-*
men

Repeal of the
acts for regis-
tering seamen.

men or persons so registred, or the giving any bounty money, or other advantages in respect thereof, are and shall be, by force and virtue of this present act, repealed, and utterly void; any thing in the said former acts, or either of them, contained to the contrary notwithstanding.

LXV. And whereas several persons, (who have, since the commencement of the said rates or duties upon monies given, paid, or contracted for with clerks and apprentices, taken clerks and apprentices, and received and contracted for sums of money, with or in respect of the taking such clerks and apprentices) have, through neglect or inadvertency, omitted to pay the several rates and duties payable in that behalf, and to have the indentures or contracts stamped, within the times for those purposes respectively limited by the act of parliament in that case made, whereby such clerks and apprentices will, according to that act, be disabled to follow or exercise the intended trades, professions, or employments, unless some further provision be made: now for relief of such clerks and apprentices, and compelling the masters and mistresses duly to pay, for the future, the rates and duties last-mentioned; be it further enacted by the authority aforesaid, That upon payment of the respective rates and duties which have been so omitted or neglected to be paid; as aforesaid, on or before the nine and twentieth day of September, in the year of our Lord one thousand seven hundred and eleven, to such person or persons, to whom the same ought to be paid according to the said former act, and tendring to be stamped such indentures or contracts so omitted to be stamped, on or before the five and twentieth day of December, in the said year one thousand seven hundred and eleven, the same indentures or contracts shall be stamped, and shall be good and available in law or equity, and the clerks or apprentices therein named shall be capable of following and exercising the respective intended trades, professions, or employments, as fully as if the rates or duties so omitted to be paid, had been duly paid, and the indentures or contracts stamped within the respective times in the same act for those respective purposes limited; any thing therein contained to the contrary notwithstanding.

Clause for relief of clerks, &c. whose masters have omitted to pay the duties, and to have their indentures stamped,

LXVI. And it is hereby further enacted by the authority aforesaid, That if any master or mistress shall hereafter neglect to pay the said rates or duties last-mentioned, within the respective times herein, and by the said former act for that purpose limited, according to the true intent and meaning of the same, every such master and mistress shall, for every such neglect, forfeit the sum of fifty pounds; the one moiety thereof to her Majesty, her heirs and successors, and the other moiety thereof with full costs of suit, to such person or persons as shall inform and sue for the same, in any of the courts at Westminster, for such neglect committed in England, Wales, or Berwick upon Tweed, or in the court of Exchequer in Scotland, for any such neglect there, by action of debt, bill, plaint, or information, wherein no essoin, protection, or wager of law, or any more than one imparlance shall be allowed.

Masters hereafter omitting, to forfeit 50l.

CAP. XXII.

An act for granting to her Majesty several duties upon coals for building fifty new churches in and about the cities of London and Westminster, and suburbs thereof, and other purposes therein mentioned.

MOST gracious Sovereign, we your Majesty's most dutiful and loyal subjects, the commons of *Great Britain* in parliament assembled, being zealous to provide such supplies as may enable your Majesty to pursue your pious and gracious intentions to increase the number of churches in or near the populous cities of *London* and *Westminster*, or the suburbs thereof, for the better instruction of all persons inhabiting or who shall inhabit in the several parishes wherein the same shall be built, in the true christian religion as it is now professed in the church of *England*, and established by the laws of this realm, do most humbly present to your Majesty the several impositions, rates, and duties herein after mentioned, and do beseech your Majesty that it may be enacted; and be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That for all sorts of coals and culm which, from and after the fourteenth day of *May*, one thousand seven hundred and sixteen, and before the nine and twentieth day of *September*, one thousand seven hundred and twenty four, shall be imported and brought into the port of the city of *London*, or the river of *Thames* within the liberty of the said city upon the same river, there shall be paid to her Majesty, her heirs and successors, by way of imposition thereupon, over and besides all other impositions and duties, according to the rates hereafter mentioned, that is to say, from and after the said fourteenth day of *May*, one thousand seven hundred and sixteen, and before the nine and twentieth day of *September*, one thousand seven hundred and sixteen, for all such sorts of coals and culm as are usually sold by the chalders, for every chalders thereof, containing thirty six buihels of *Winchester* measure, the sum of two shillings; and for such sort of coals as are sold by the tun, for every tun thereof, containing twenty hundred weight, the sum of two shillings; and from and after the eight and twentieth day of *September*, one thousand seven hundred and sixteen, and before the eight and twentieth day of *September*, one thousand seven hundred and twenty four, there shall be paid for every such said chalders of coals and culm and tun of coals, the sum of three shillings; which said sum of two shillings for the first part of the said term, and three shillings for the remainder thereof, for every chalders of coals and culm and tun of coals, shall, from time to time, during the full term, first before mentioned, be raised, levied, collected, and paid to her Majesty, her heirs and successors, in the same manner, method, and form, and at such places, and by such rules, ways, and

Duty upon
coals from
14 May, 1716.
to 29 Sept.
1724.

From 14 May,
1716. to 29
Sept. 1716.
Coals to pay
2 s. per chal-
ders or tun.
See 1 Geo. 2.
stat. 2. c. 3.
f. 3.

and after
28 Sept. 1716.
to 28 Sept.
1724. 3 s. per
chalders or
tun.
See 1 Geo. 2.
stat. 2. c. 3.
& 5 Geo. 1.
c. 9.

and means, and under such penalties and forfeitures, as are mentioned, expressed, or referred unto, in and by any act, law, or statute, acts, laws, or statutes now in force for raising, levying, collecting, or answering any other duty or duties now payable to her Majesty, for or upon any coals or culm whatsoever imported or brought coastwise into the said port of *London*; and that all and every the powers, authorities, penalties, forfeitures, disabilities, articles, rules, and clauses, in the same acts, laws, and statutes, or any of them, mentioned or contained (except such and so much of them for and concerning which it is otherwise provided in this present act) shall be of such force and effect, to all intents and purposes, for the raising, levying, collecting, and answering the impositions hereby granted, for and during the said term and terms herein before limited, as if the same were particularly and at large set down and enacted by this act.

II. And be it further enacted by the authority aforesaid, That all and every such sum and sums of money, which shall be raised, collected, and levied, by virtue of this act (the necessary charges of raising, managing, and accounting for the same always excepted) shall, from time to time, be brought and paid into the receipt of Exchequer, and by force and virtue of this act, are and shall be appropriated, issued, applied, and disposed, for the building of fifty new churches of stone and other proper materials, with towers or steeples to each of them; and for purchasing of sites of churches and church-yards, and burying-places, in or near the cities of *London* and *Westminster*, or the suburbs thereof; and for making such chapel churches as are already built, and capable thereof, parish churches, and for purchasing houses for the habitations of the ministers of the said churches, and for applying the sum of four thousand pounds *per annum* out of the said duties and impositions, towards the repairing and finishing the collegiate church of *Saint Peter, Westminster*, and the chapels of the same; and also for applying the sum of six thousand pounds *per annum* out of the said duties and impositions arising by this act, towards the finishing *Greenwich Hospital*, and the chapel thereunto belonging, and to or for none other use, intent, and purpose whatsoever.

III. And it is hereby declared and enacted by the authority aforesaid, That there shall be erected and built, of stone and other proper materials, fifty churches, with towers or steeples to each of them, whereof one shall be erected in the parish of *East Greenwich* in the county of *Kent*.

IV. And whereas in several parishes in or near the said cities of *London* and *Westminster*, or the suburbs thereof, there are some chapels erected by well-disposed persons at their own charge, for the publick worship of God, as established in the church of England, which are fit to be converted into parish churches, and to have districts or bounds of parishes allotted and assigned to each of them; but several of them being built upon terms for years, under certain ground rents, and therefore are not consecrated, and there being several deficiencies in their constitutions, which are necessary in a parish church; be it therefore

The money to be paid into the Exchequer, and appropriated for building 50 new churches, &c.

Fifty new churches whereof *Greenwich* to be one, to be erected.

Chapels already erected, if fit, to be converted into parish churches.

declared and enacted by the authority aforesaid, That such of the said chapels as are fit or proper, may be made parish churches.

Her Majesty
by letters pa-
tents, to nomi-
nate commis-
sioners.

V. And to the end the said new churches, so to be erected, may be more conveniently situated, and the said chapels, that are fit for parish churches, may be accommodated and provided with all things necessary for those residing in the said parishes, who stand most in need thereof; be it enacted by the authority aforesaid, That it shall and may be lawful to and for her Majesty, by letters patents, under the great seal of *Great Britain*, to nominate, constitute, and appoint such persons as her Majesty shall think fit to be commissioners for the purposes herein after mentioned; which said commissioners, or such or so many of them as shall, by the said commission, be authorized, shall, within twenty days after they shall be so constituted, as aforesaid, meet, and so, from time to time, as often as there shall be occasion, with or without adjournments, and shall enquire and inform themselves in what parishes the said new churches, except that for *Greenwich*, are most necessary to be built, and of proper places for the sites of the said respective new churches, and also a cemetery, or church-yard; for each of the said churches, for the burial of christian people, to be purchased; and also which of the said chapels are fit to be made parish churches; and shall ascertain the several houses, lands, tenements, and hereditaments, and the bounds and limits which in their judgment or opinion may be fit to be made distinct parishes, and to enquire and inform themselves by the best means they can, of the value of such houses, lands, tenements, and hereditaments, and of the respective estates and interests therein, which the said commissioners, or such or so many of them as shall be authorized, as aforesaid, shall think necessary to be purchased for the said sites and cemeteries, and for houses for the habitations of the respective ministers; and the said commissioners, or such or so many of them as shall be authorized, as aforesaid, shall, on or before the four and twentieth day of *December*, one thousand seven hundred and eleven, report or certify to her Majesty in writing, under their hands and seals, such matters and things as shall appear to them, upon their inquiries aforesaid, with their opinions thereupon, and present a duplicate of such report or certificate to each of the two houses of parliament, to the end such further directions may be given thereupon, as may be pursuant to her Majesty's pious intentions in the premisses.

Money to be
borrowed at
5 l. per cent.
tax-free.

VI. Provided always, and it is hereby enacted, That it shall and may be lawful to and for her Majesty, her heirs and successors, from time to time, to direct the officers at the receipt of Exchequer to receive by way of loan, from any person or persons willing to make the same upon credit of this act, such sum and sums of money as her Majesty, her heirs and successors shall, from time to time, or at any time or times, think necessary, for the beginning, carrying on, or effecting all or any the services by this act intended, and to allow interest after the rate of

of six pounds *per centum per annum*, for the forbearance thereof; and that the money so lent shall not be taxed or assessed by any act of parliament whatsoever; and that such lenders shall have tallies or loan, and orders for their repayment, with such interest, as aforesaid, out of the duties granted by this act, the principal to be paid in course, according to the respective dates of the tallies, and the interest every three months till the repayment of the principal; and that no fee or reward shall be demanded or taken of any her Majesty's subjects, in or for the payment thereof; and that the money of the said duties shall be liable to satisfy such orders accordingly, without being diverted from the same to any other use, intent, or purpose, upon pain of forfeiting treble damages, and full costs, to the party grieved by the party offending; and that such orders shall be assignable by endorsements thereupon, according to the course in such cases used in the Exchequer.

VII. Provided always, That such sums as at any time or times before the said fourteenth day of *May*, one thousand seven hundred and sixteen, shall become due for interest of money to be lent upon this act, shall and may be satisfied as the said interest shall, from time to time, become due, out of any monies whatsoever, which shall come into the Exchequer by way of loan, on the credit aforesaid; any thing herein contained to the contrary notwithstanding.

VIII. Provided, That this act, or any thing therein contained, shall not extend, or be construed to extend, during the continuance of this act, to charge or lay any of the duties or impositions hereby imposed upon such coals (not exceeding one hundred chalders by the year) as shall be brought into the port of *London*, from *Newcastle* upon *Tyne*, or any other place, for the only use and service of the royal hospital at *Chelsea*; any thing herein contained to the contrary notwithstanding.

IX. And whereas by an act of parliament of the eighth year of the reign of the late King William the Third, intituled, An act for completing the building and adorning the cathedral church of *Saint Paul*, *London*, and for repairing the collegiate church of *Saint Peter*, *Westminster*, it was (among other things) enacted, That from and after the nine and twentieth day of September, one thousand six hundred and ninety seven, the annual stipend or allowance to the person who was or should be supervisor or surveyor general of the building of the said cathedral church of *Saint Paul's* should be paid in the manner and proportions following, that is to say, one moiety thereof yearly, and the other moiety in one entire sum, within six months after the finishing the said cathedral church; it is hereby declared, That the said cathedral church, so far as by the said act was required to be done and performed by the said surveyor general, is finished; be it enacted by the authority aforesaid, That the said suspended salary shall be paid to the said surveyor, on or before the five and twentieth day of *December*, one thousand seven hundred and eleven; and that all other standing salaries to any officers employed only for the carrying on or finishing the said building, shall,

Interest due before 14 May, 1716. how to be satisfied.

100 chalders per annum for Chelsea hospital, not chargeable.

8 & 9 W. 3. c. 14.

The surveyor general of St. Paul's his suspended salary to be paid by 25 Dec. 1711, and other standing salaries to cease.

shall, from the said five and twentieth day of *December*, cease and determine. *This act is explained by 10 Annæ, c. 11. Geo. I. stat. 2. c. 23. 4 Geo. I. c. 14. 5 Geo. I. c. 9.*

CAP. XXIII.

An act for licensing and regulating hackney coaches and chairs; and for charging certain new duties upon stamp vellum, parchment, and paper, and on cards and dice, and on the exportation of rock salt for Ireland; and for securing thereby, and by a weekly payment out of the post office, and by several duties on hides and skins, a yearly fund of one hundred eighty six thousand six hundred and seventy pounds, for thirty two years, to be applied to the satisfaction of such orders as are therein mentioned, to the contributors of any sum not exceeding two millions, to be raised for carrying on the war, and other her Majesty's occasions.

MAY it please your most excellent Majesty, we your Majesty's most loyal and dutiful subjects, the commons of *Great Britain*, in parliament assembled, being desirous to raise the necessary supplies for enabling your Majesty to carry on the present war, and for other your Majesty's frequent occasions, have therefore given and granted, and do by this act give and grant unto your Majesty the several revenues, rates, duties, and sums of money herein after mentioned, and do beseech your Majesty, that it may be enacted; and be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful to and for her Majesty, her heirs and successors, under the great seal of *Great Britain*, from time to time, to nominate, authorize, and appoint, any person or persons, not exceeding five in number at any one time, to be commissioners for regulating and licensing, from time to time, all hackney coaches, which from and after the four and twentieth day of *June*, in the year of our Lord one thousand seven hundred and fifteen; at any time or times within or during the term of thirty two years from thence next and immediately ensuing, shall be permitted to be driven for hire, or kept, within the cities of *London* and *Westminster*, and the suburbs thereof, and within all and every the parishes and places, comprized within the weekly bills of mortality, in such manner as is herein after directed; which said commissioners to be appointed, as aforesaid, shall, from time to time, put in execution the several powers and authorities herein after mentioned by such commissioners to be done, executed, or performed.

II. And be it further enacted, That the commissioners which shall be so appointed, shall have power and authority, and are hereby impowered and required, under their hands and seals,

Her Majesty
to appoint
commission-
ers for licens-
ing hackney
coaches in
London, &c.

Commission-
ers to license
800 such

or under the hands and seals of the major part of them, from time to time, to license all such persons, who from and after the said four and twentieth day of *June*, one thousand seven hundred and fifteen, at any time or times within or during the said term of thirty two years, shall drive or keep any hackney coach or coach horses within the cities of *London* and *Westminster*, or the suburbs of the same, or within the parishes comprized within the weekly bills of mortality; and the number of all hackney coaches so to be licensed, shall not, at any one time, within or during the said term, exceed eight hundred; and upon every of the said licences, there shall be reserved and made payable unto her Majesty, her heirs and successors, the weekly sum of five shillings of lawful money of *Great-Britain*, to be paid monthly from the commencement of every such licence, during the continuance thereof respectively without any deduction or abatement for any matter, cause, or thing whatsoever, with such covenants, conditions, and provisos therein to be inserted, for the more effectual payment thereof, as the said commissioners, in their discretions, shall think fit.

coaches, from
24 June, 1715.
for 32 years;
made perpetual
by 3 Geo. 1.
c. 7. s. 1.
16 Geo. 2. c. 26.

at 5 s. per
week, payable
monthly.

III. And it is hereby enacted by the authority aforesaid, That the commissioners for licensing and regulating hackney coaches now being, and the commissioners for licensing and regulating hackney coaches for the time being, or the major part of them, shall have power and authority, and are hereby empowered and required, under their hands and seals, or the hands and seals of the major part of them, to license all such hackney chairs, which from and after the four and twentieth day of *June*, one thousand seven hundred and eleven, at any time or times within or during the term of thirty two years from thence next and immediately ensuing, shall be kept and used for hire, within the said cities of *London* and *Westminster*, and the suburbs thereof, and within all and every the parishes and places comprized within the weekly bills of mortality; and that the number of all such chairs so to be licensed, shall not at any one time, within or during the term last-mentioned, exceed two hundred; and upon every one of the said licences, so to be granted, for keeping and using for hire an hackney chair, there shall be reserved and payable to her Majesty, her heirs and successors, the annual sum of ten shillings of lawful money of *Great Britain*, to be paid quarterly, at the four most usual feasts in the year, by equal portions, during the continuance of every such licence for a chair, with such covenants, provisos, and conditions, for the more effectual payment thereof, as the said commissioners, in their discretions, shall think fit and reasonable; the first of the said quarterly payments to begin and to be made at such of the said feast days as shall next happen after the granting of every such licence for a chair respectively.

And 200
hackney
chairs; made
perpetual by
3 Geo. 1. c. 7.
s. 1.

100 more may
be licensed by
10 Ann. c. 19.
s. 158. and the
widows of
hackney chair-
men are pro-
vided for
by 12 Ann.
stat. 1. c. 14.
By 12 Geo. 1.
c. 12. s. 15.
100 more may
be licensed

at 10 s. per
annum, pay-
able quarterly.

IV. And be it further enacted, That from and after the said four and twentieth day of *June*, which shall be in the year of our Lord one thousand seven hundred and fifteen, during the said term of two and thirty years from thence next ensuing, no person

Driving coach
without li-
cense, forfeits
5 l.

person

or carrying
such chair,
forfeits 40 s.

Coach horses
to be 14 hands
high.

Coaches, &c.
to have
figures, &c.

Ancient
coachmen, &c.
to be first li-
censed.

Commission-
ers not to li-
cense above
200 coaches,
and 100 chairs.

person or persons shall presume to drive, or lett to hire, by the hour or day, or otherwise, any hackney coach, or coach horses, within the cities of *London* or *Westminster*, or suburbs of the same, or within the parishes or places comprized within the bills of mortality, without such leave or licence first obtained from the said commissioners, as aforesaid, upon pain to forfeit, for every such offence, the sum of five pounds; and that from and after the said four and twentieth day of *June*, one thousand seven hundred and eleven, during the said term of thirty two years from thence next ensuing, no person or persons shall presume to carry for hire, in any hackney or common chair, any person or persons whatsoever, within the cities of *London* or *Westminster*, or the suburbs of the same, or within any of the parishes or places comprized within the weekly bills of mortality, without such licence to be first obtained for so doing from the said commissioners, as aforesaid, upon pain to forfeit, for every such offence, the sum of forty shillings; and that no horse, gelding, or mare, to be used with any hackney coach, shall be under the size of fourteen hands high, according to the standard; and that every coach and chair respectively, so licensed, shall have a mark of distinction, by figure or otherwise, as the said commissioners shall think fit, and the said mark shall be placed on each side of every such coach and chair respectively, in the most convenient manner to be taken notice of, to the end that they may be known, if any complaints shall be made of them; and that if any person shall be licensed to keep more than one hackney coach, or more than one hackney chair at the same time, every one of them shall have several figures or marks of distinction, in the same manner as if they did belong to several persons; and that no person shall put the same figure or mark of distinction upon his coach or chair that is appointed for any other coach or chair, or shall blot out, obliterate, alter, or deface the figure or mark of distinction appointed by the said commissioners for his coach or chair, under the forfeiture of five pounds for every of the offences last-mentioned; one moiety whereof shall be to the informer, and the other moiety to the use of her Majesty, her heirs and successors; and the said commissioners for regulating and licensing coaches and chairs, are hereby required, in the first place, to license all such persons as have been ancient coachmen, or ancient chairmen, or the widows of any of them, unless they shall neglect or refuse to take such licenses upon the respective terms hereby allowed, within a reasonable time to be limited by the said commissioners, not less than twenty days.

V. And be it further enacted, That if any commissioner so appointed, shall grant licences for more than the number of eight hundred hackney coaches, or two hundred chairs, to be in being at any one and the same time, he shall forfeit, for every such offence, one hundred pounds, to be prosecuted and recovered by any person who will sue for the same, by action of debt, bill, plaint, or information, in any of her Majesty's courts of

of record at *Westminster*, in which no esoin, protection, wager of law, or more than one imparlance shall be granted or allowed.

VI. And be it further enacted by the authority aforesaid, That no hackney coachman so to be licensed in pursuance of this act, nor the driver of such coach, shall presume to take for his hire, in and about the cities of *London* and *Westminster*, or within ten miles thereof, above the rates of ten shillings for a day, reckoning twelve hours to the day, and by the hour not above eighteen pence for the first hour, and twelve pence for every hour after; and that no gentleman or other person shall pay from any of the inns of court or thereabouts, to any part of *St. James's*, or city of *Westminster*, (except beyond *Tuttle-Street*, above twelve pence; and the same prices from the same places to the inns of court, or places thereabouts; and from any of the said inns of court or thereabouts, to the *Royal-Exchange*, twelve-pence; and if to the tower of *London*, or *Bishopsgate Street*, or *Aldgate*, or thereabouts, one shilling and six pence; and so from the same places to the said inns of court, as aforesaid; and the like rates from and to any place at the like distance with the places before-mentioned.

Rates of
hackney
coaches.

VII. Provided always, That no gentleman or other person shall be obliged to pay above twelve pence for the use of an hack-coach for any distance, (not particularly set down in this act) so as the same do not exceed one mile and four furlongs; and that no gentleman or other person shall be obliged to pay above one shilling and six pence for the use of an hackney coach for any distance, (not particularly set down in this act) being above one mile and four furlongs, and not exceeding two miles; and that the said commissioners, or the major part of them, shall cause to be admeasured, and published in writing to be fixed at the *Royal Exchange* in *London*, on or before the twenty ninth day of *September*, one thousand seven hundred and eleven, the several distances between the most noted places within the limits of the said weekly bills, (not particularly set down in this act) according to which the said rates of twelve pence, and one shilling and six pence respectively ought to be paid, as aforesaid.

VIII. And be it further enacted by the authority aforesaid, That no person whatsoever shall be obliged to pay to the chairmen for an hackney chair carried any distance within the limits aforesaid, more than the rate by this act allowable for an hackney coach driven two third parts of the same distance; and that the said commissioners, or the major part of them, shall cause to be admeasured, and published in writing, to be affixed, as aforesaid, on or before the twenty ninth day of *September*, one thousand seven hundred and eleven, the several rates allowable by this act to chairmen, as aforesaid, for their carriage to and from the most noted places where such chairs are commonly used in the city and limits aforesaid; and if any hackney coachman or chairman shall refuse to go at, or shall exact more for his hire than the several

Rates of chair-
men.

Several rates hereby limited, he shall, for every such offence, forfeit the sum of forty shillings.

Commission-
ers to appoint
under officers.

IX. And be it further enacted, That the said commissioners shall appoint such other officer or officers under them, as they shall find necessary for carrying on the said service, with such moderate allowances as shall be thought fit; and the said commissioners, and other officers under them, and every of them, are hereby required not to take or demand, directly or indirectly, of any person, for their licences, any sum of money, or other gratuity or consideration whatsoever, other than what is herein directed to be paid to her Majesty, nor to take or demand any fee or reward from any person or persons, for any thing by them to be done in execution of their respective offices or employments, other than from her Majesty, her heirs and successors, upon pain to forfeit, for every such offence, their respective offices and employments, and to be incapable of any grant thereof, or of any other office; except only that it shall be lawful for the clerks, for their pains in writing and ingrossing each licence, to have and receive the sum of two shillings and six pence; and no more.

Clerks to have
2 s. 6 d. for
each licence.

Commission-
ers and offi-
cers to be
sworn.

X. And be it further enacted, That the said commissioners for licensing hackney coaches and chairs, and every of them, and every officer to be appointed under them, shall before two or more of the said commissioners take an oath for the due and faithful execution of their offices and employments; and that no person or persons shall be capable of intermeddling with the execution of the powers and authorities by this act granted, and any of them, other than the power of administering the aforesaid oath to their fellow commissioners, until they shall have taken the said oaths, as aforesaid.

Commission-
ers to pay into
the Exche-
quer, and ac-
count annual-
ly.

XI. And be it further enacted by the authority aforesaid, That all the sums of money, rents and revenues by this act arising, over and above what shall be sufficient for salaries and other incident charges for collecting or managing the same, shall, from time to time, be paid by the said commissioners, or such other person or persons as shall be appointed by her Majesty, her heirs or successors, or by the commissioners of the treasury, or lord treasurer for the time being, to receive the same, into the receipt of the Exchequer; and the said commissioners shall, upon oath, deliver books of accounts fairly written, containing all the licences granted, and the names and surnames of the respective persons, to whom such licences are granted, and the rents and profits thereby accrued, unto the commissioners of the treasury, or lord high treasurer, or commissioners of the treasury for the time being, once in every year, or oftner, if required.

Rents, penal-
ties, &c. how
to be levied.

XII. And be it further enacted by the authority aforesaid, That all the said weekly and other rents and sums of money, to be reserved or payable, as aforesaid, for the said licences respectively; and all forfeitures and penalties that shall grow due or payable by virtue of this act, or breach of any orders or by-laws that shall be made by the said commissioners, in pursuance of the

the authority to them given by this act for that purpose, (the said penalties and forfeitures to be incurred by the said commissioners themselves, or any of them, excepted) shall be levied by distress of the goods and chattels of the offender or offenders; by warrant under the hands and seals of the said commissioners, or any three or more of them, which shall be sold within ten days, and the overplus shall be returned to the owner, the charges of making and selling the distress being first deducted and allowed, together with the charge of the warrant for the distress, if upon seven days notice they do not pay the fines and penalties incurred, without such warrant; and in default of distress for any such fine, penalty or forfeiture, as aforesaid, except before excepted, the offenders neglecting or refusing to pay the same, shall by warrant under the hands and seals of the said commissioners, or any three or more of them, be committed to prison, there to continue without bail or mainprize, till he, she, or they have paid such fine or forfeiture, or penalty, as was due from him, her, or them; and in case any such weekly or other rent or payment for any hackney coach or chair, as aforesaid, shall be behind and unpaid for the space of fourteen days, after the same shall become due, and ought to be paid, as aforesaid, in every such case it shall and may be lawful to and for the said commissioners for regulating and licensing the said coaches and chairs, or the major part of them, for the time being, (without any demand to be first made of the said arrear) to revoke and countermand the licence upon which such arrears shall be incurred, and instead thereof to license any other hackney coachman or chairman in the manner by this act prescribed; any thing herein contained to the contrary notwithstanding.

XIII. And he it further enacted, That all the offences against this act, or any thing therein contained, (other than the offences of the commissioners themselves) shall be heard and determined in a summary way by the said commissioners, or any three or more of them, upon the oath of one or more credible witnesses, (the party accused being summoned to make his defence) or upon confession of the party offending; and one moiety of all the forfeitures and penalties to be incurred by this act, shall be to her Majesty, her heirs and successors, and the other moiety to the informer.

Offences to be heard in a summary way by the commissioners.

XIV. And be it further enacted, That if any person or persons shall at any time be sued or prosecuted for any thing by him or them done or executed in pursuance of this act, he or they shall and may plead the general issue, and give this act in evidence for his defence; and if upon a trial a verdict shall pass for the defendant or defendants, or judgement shall be given against the plaintiff or plaintiffs upon demurrer, or the plaintiff or plaintiffs be nonsuited, discontinued or forbear prosecuting their said actions, then such defendant and defendants shall have double costs to him or them awarded against such plaintiff or plaintiffs, for which costs he shall have such remedy as in other cases where costs are by law given to defendants.

Persons sued, may plead the general issue, &c.

XV. Pro-

No *Certiorari*.

XV. Provided also, and be it enacted, That no writ or writs of *Certiorari* shall supercede execution, or other proceeding upon any order or orders made by the said commissioners in pursuance of this act, but that execution and other proceedings shall and may be had and made thereupon; any such writ or writs or allowance thereof notwithstanding.

Commissioners may make by-laws.

By 1 Geo. 1.

stat. 2. c. 57.

s. 1. Renters of licences, and drivers of coaches are bound by the commissioners by-laws.

XVI. And be it further enacted by the authority aforesaid, That for the better regulating and ordering such persons who shall be licensed to keep hackney coaches or chairs, as aforesaid, and to prevent any disturbances, and other inconveniencies in the streets and highways, where such coaches or chairs shall stand or be driven, or such chairs shall stand or be carried, and for punishing thereof; it shall and may be lawful for the said commissioners, or the major part of them, from time to time, to make such orders, by-laws and ordinances to bind such persons only, who shall have licences to keep hackney coaches or chairs, and to annex such reasonable penalties and forfeitures for the breach thereof, as to them in their discretions shall seem fit, so as such orders, by-laws, or ordinances be made agreeable to the true intent and meaning of this act, and be for the better putting in execution thereof, and for the good government and regulation of the persons licensed to keep coaches and chairs, and so as they do not contain any thing repugnant to the laws of the realm.

By-laws to be approved by lord chancellor, &c. and executed by justices of peace, &c.

XVII. Provided nevertheless, and it is enacted, That such rules, orders and by-laws, so to be made by the said commissioners, shall be allowed and approved by the lord chancellor, lord keeper, or lords commissioners of the great seal of *Great Britain* for the time being, and the chief justice of either bench, and the lord chief baron of the Exchequer, or any three of them; and after such allowance the same shall be printed and made publick; and the breach of any of the rules and orders appointed by this act, and the penalties thereupon, and the rules, orders and by-laws to be made by the said commissioners, and allowed, as aforesaid, and the forfeitures and penalties thereupon, shall be punishable, and inflicted, and put in execution, by any justice of the peace, mayor, bailiff, or other magistrate of the county, city, or place where such offence shall be committed, in as full and ample manner as the said commissioners, hereby to be appointed, might do the same, and as if the said by-laws, rules, and orders were particularly inserted in this present act; but no person shall be twice punished for the same offence.

The Queen's part of penalties to be transmitted to the receiver general of these duties.

XVIII. Provided always, That all penalties which shall be levied by any justice of the peace, mayor, bailiff, or other magistrate, in pursuance of this act, or any by-laws to be made, as aforesaid, or the Queen's part of the same, shall, from time to time, be transmitted by them to the receiver general of the said revenues arising by hackney coaches and chairs, and a certificate thereof to the said commissioners for licensing and regulating the same, from time to time, within ten days after the levy-

levying any such penalties, upon pain of forfeiting double the value of the sum which should be so transmitted and certified, that is to say, two third parts thereof to the use of the Queen, her heirs and successors, and the other third part to him or them that will inform or sue for the same.

XIX. And for the better preventing the misbehaviour of any coachman or chairman, to be licensed in pursuance of this act, it is hereby declared and enacted, That upon complaint of any gentleman, or other person, the said commissioners for granting licences pursuant to this act, or the major part of them, shall and may summon the coachman and chairman respectively, to answer the said complaint; and upon his or their being heard, or making default of appearance, shall and may (in case they see cause) revoke the licence of such coachman or chairman, for such misbehaviour, in giving abusive language, or otherwise, and license another coachman or other chairman in his stead.

On misbehaviour, commissioners may revoke coachman's licence, &c.

XX. And whereas by an act of parliament made in the twenty-ninth year of the reign of King Charles the Second, and other acts formerly made for the better observation of the Lord's day, commonly called Sunday, the standing to hire, and driving hackney coaches, and the standing to hire, and carrying of chairs, on the Lord's day, are or may be understood to be forbidden or restrained: and whereas the said restraint is many times found inconvenient, as well in order to the observation of the day, as otherwise; be it therefore enacted by the authority aforesaid, That it shall and may be lawful to and for any licensed hackney coachman, or his driver, or any chairmen, to ply and stand with their coaches and chairs, and to drive and carry the same, respectively, on the Lord's day, within the limits of the said weekly bills of mortality; the said former acts, or any of them, or any construction thereupon to the contrary notwithstanding.

Coachmen, &c. may ply on the Lord's day.
29 Car. 2. c. 7.

XXI. And it is hereby further enacted, That an account of the profits and duties arising by virtue of this act, by licensing coaches and chairs, shall every year during the continuance thereof, be made up before the auditors of the imposts.

Account annual before the auditors.

XXII. And be it further enacted by the authority aforesaid, That if any person or persons shall refuse or neglect to pay any coachman or chairmen the money justly due to him or them for carrying in his or their coach or chair, or shall wilfully cut, deface, or break any such coach or chair, it shall and may be lawful to and for any justice of the peace, where such refusal shall be made, or damage done, upon complaint thereof, to grant a warrant to bring before him the person against whom such complaint shall be made, and upon proof made upon oath, (which such justice hath hereby power to administer) to award reasonable satisfaction to the party grieved for his damage and costs, and upon refusal to pay or make such satisfaction, to bind over the party refusing to the next general quarter-sessions of the peace to be held for the city or county where the offence shall be committed; and the justices in such quarter-sessions have hereby power finally to hear and determine the matter of the

Justices to determine between coachmen, &c. and others.

said complaint, and to award satisfaction to the party grieved, and for non-payment to levy the same by distress upon his goods and chattels.

New duties
on stamp vel-
lum, &c.
Made perpe-
tual by 3 Geo.
1. c. 7. 1. 1.

XXIII. And be it further enacted by the authority aforesaid, That there shall be throughout the kingdom of *Great Britain* raised, levied, collected and paid, unto and for the use of her Majesty, her heirs and successors, for the several and respective things herein after mentioned, which shall be ingrossed, printed or written, the several and respective rates, duties, charges and sums of money herein after expressed, in manner following; that is to say,

Drawbacks on
re-shipping.

For every skin, or piece of vellum or parchment, or sheet or piece of paper, upon which shall be ingrossed or written any certificate or debenture for drawing back any customs or duties, or any part of any customs or duties, for or in respect of the re-shipping or exporting of any goods or merchandizes, which at any time or times, within or during the term of two and thirty years, to be reckoned from the first day of *August*, in the year of our Lord one thousand seven hundred and eleven, shall be exported, or shipped to be exported from *Great Britain*, for any parts beyond the seas, to be paid by the person for whose benefit, or at whose instance such debenture or certificate shall be obtained, the sum of eight pence.

Bills of lading.

For every piece of vellum or parchment, or sheet or piece of paper, upon which shall be ingrossed or written any note or bill of lading, which shall be signed for any goods or merchandizes to be exported at any time or times within or during the term last mentioned, the sum of four pence.

Sheet almanacks.

For every almanack or kalendar for any one particular year, or for any time less than a year, which shall, (within or during the same term) be printed on one side only of any one sheet or piece of paper only the sum of one penny.

Other almanacks.

For every other almanack or kalendar, for any one particular year, which shall be printed within or during the said term, the sum of two pence.

Almanacks
for several
years.

Provided always, and be it enacted and declared by the authority aforesaid, That if any almanack or kalendar shall, during the term last mentioned, be made to serve for several years, that then the respective rates aforesaid shall be paid for every such year.

Licence for re-
tailing wine.

For every piece of vellum or parchment, or sheet or piece of paper, on which shall, at any time or times within or during the term last mentioned, be ingrossed or written any licence for retailing of wine, the sum of four shillings.

Licence for
selling ale, by
6 Geo. 1. c. 21.
s. 56. Such li-
cence is to be
made before the
recognizance is
taken out.

For every piece of vellum or parchment, or sheet or piece of paper, on which shall (during the same term) be ingrossed or written any licence for selling of ale, beer, or other exciseable liquors by retail, the sum of one shilling.

XXIV. And be it further enacted by the authority aforesaid, That for the better and more effectual levying, collecting, and paying unto her Majesty, her heirs and successors, the said
several

several duties hereby granted and made payable for or in respect of the said certificates, debentures, bills or notes of lading, almanacks, and licences, the same shall be under the government, care, and management of the commissioners for the time being, appointed to manage the duties payable to her Majesty, her heirs and successors, and charged on stamp vellum, parchment and paper, who, or the major part of them, are hereby required and impowered to employ the necessary officers under them for that purpose, and to cause all such further new stamps to be provided to denote the duties last mentioned, as shall be requisite; and to do all other things necessary to be by them done for the putting this act in due execution with relation to those duties.

Commissioners of the stamps to manage these duties.

New stamps to be provided.

XXV. And it is hereby further enacted by the authority aforesaid, That all vellum, parchment and paper, upon which any such certificate, debenture, bill or note of lading, almanack or licence, as aforesaid, shall, from and after the said first day of *August*, one thousand seven hundred and eleven, be ingrossed, written or printed, shall before such ingrossing, writing, or printing, be brought to the head office for stamping or marking of vellum, parchment and paper; and the said commissioners, by themselves, or by their officers employed under them, shall, and they are hereby impowered and required, forthwith, upon demand to them made by any person or persons, from time to time, to stamp or mark, as this act directs, any quantities or parcels of vellum, parchment or paper, he or they paying to the receiver general of the stamp duties for the time being, or to his deputy or clerk, the respective duties payable for the same by this act, without any other fee or reward, and without delay; which stamp or mark, to be put thereupon in pursuance of this act, shall be a sufficient discharge for the several and respective duties hereby payable for the said vellum, parchment or paper, which shall be so stamped or marked.

Vellum, &c. to be stamped before written upon.

XXVI. Provided always, That where any almanack shall contain more than one sheet of paper, it shall be sufficient to stamp only one of the sheets or pieces of paper upon which such almanack shall be printed, and to pay the said duty accordingly.

Only one sheet of an almanack to be stamped.

XXVII. And be it further enacted by the authority aforesaid, That if any officer of the customs shall, from and after the said first day of *August*, one thousand seven hundred and eleven, at any time within or during the term last mentioned, sign any such certificate or debenture, as aforesaid, not appearing to have been first duly stamped according to law; or if any other person shall, from and after that day, write, ingross, or print, or cause to be written, ingrossed, or printed, any such certificate, debenture, or note or bill of lading, licence, or almanack, as aforesaid, or sign such bill or note of lading, or sell or expose to sale any such almanack, before the vellum, parchment or paper, whereupon such certificate, debenture, bill or note of lading, licence, or almanack, shall be respectively ingrossed, written or printed, shall appear to have been so duly

Penalty on writing, before paper, &c. is stamped.

stamped; that then every such officer or person so offending in any of the particulars before mentioned, shall, for every such offence, forfeit the sum of ten pounds, together with full costs of suit; and every such officer of the customs offending herein, and being convicted of any such offence, shall (over and besides the forfeiture or penalty aforesaid) forfeit and lose his office and employment, and be incapable to hold the same; and that if any such certificate, debenture, bill or note of lading, or licence, as aforesaid, shall, during the term last mentioned, be written or ingrossed contrary to the true intent and meaning hereof, upon vellum, parchment, or paper, not appearing to have been duly stamped according to law, that then, and in every such case, there shall be due, answered, and paid to her Majesty, her heirs and successors (over and above the duties hereby due or payable) for every such certificate, bill or note of lading, and licence respectively, the sum of five pounds; and that no such certificate, debenture, bill or note of lading, or licence, shall be available in law, or be given in evidence, or admitted in any court, unless as well the said duties hereby charged, as the said sum of five pounds, shall be first paid to the use of her Majesty, her heirs or successors, and a receipt produced for the same, under the hand of the receiver general, for the time being, of the stamp duties, or of his deputy or clerk, and until the vellum, parchment, or paper, on which such certificate, debenture, bill or note of lading, or licence, is so written or ingrossed, shall be marked or stamped, according to the tenor and true meaning hereof; and the said receiver general, and his deputy or clerk, are hereby enjoined and required, upon payment or tender of the said duty, payable by virtue hereof, and of the said sum of five pounds, to give a receipt for such money; and the other proper officers are thereupon required to mark and stamp such certificate, debenture, bill, note, or licence, with the proper marks and stamps requisite in that behalf.

No certificate,
&c. not
stampd, good,
till s^d. and
stamp duty
paid.

Officers may
inspect pub-
lick books, &c.

XXVIII. And be it further enacted by the authority aforesaid, That all publick officers who shall, from time to time, have in their custody any of the said debentures, or any publick books, files, records, remembrances, dockets, or proceedings, the sight or knowledge whereof may tend to the securing of these or any her Majesty's stamp duties, or to the proof or discovery of any fraud or omission in relation thereto, or to any of them, shall at any seasonable time or times, permit any officer or officers thereunto authorized by the commissioners, for the time being, appointed to manage those duties, or the major part of them, to inspect and view all such books, files, records, remembrances, dockets, and proceedings, as aforesaid, and to take thereout such notes and memorandums as shall be necessary for the purposes last-mentioned, without fee or reward, upon pain that such clerk or other officer or officers, who shall refuse or neglect so to do, upon reasonable request in that behalf

half made, shall, for every such refusal and neglect, forfeit the sum of five pounds with full costs of suit.

XXIX. And be it further enacted by the authority aforesaid, ^{Commission-} That every commissioner and officer, who shall act in or about ^{ers, &c. to be} the managing or collecting the duties last-mentioned, and ^{sworn.} hereby granted, shall, before he shall act in or about the same, take the oath following, that is to say,

I A. B. *do swear, That I will faithfully execute the trust reposed* ^{Their oath.}
in me, pursuant to the act of parliament, whereby certain duties are charged upon certificates, debentures, bills of lading, almanacks, and certain licences, to be stamped as is therein mentioned, without fraud or concealment; and shall, from time to time, true account make of my doings therein, and deliver the same to such person or persons as her Majesty, her heirs or successors, shall appoint to receive such account; and shall take no fee, reward, or profit, for the execution or performance of the said trust, or the business relating thereto, from any person or persons, other than such as shall be allowed by her Majesty, her heirs or successors, or some other person or persons under her or them to that purpose authorized.

Which oath shall and may be administered by any two or more of the commissioners last-mentioned, or any justice of the peace.

XXX. And be it further enacted by the authority aforesaid, ^{Commis-} That the said commissioners for managing the said duties on ^{sioners to ob-} stamp vellum, parchment, and paper, and all other officers who ^{serve the or-} shall be employed in or about the collecting or managing of the ^{ders of the} duties last-mentioned, and hereby granted, shall, in and for the ^{treasury.} better execution of their said offices and trusts, observe and perform such rules, methods, and orders, as they respectively shall, from time to time, receive from the lords commissioners of the treasury now being, or the treasurer of the Exchequer, or the commissioners of the treasury for the time being; and that no fee or reward shall be demanded or taken by any her Majesty's ^{No fee to be} officers, relating to the said stamp duties, from any of her Ma- ^{taken, &c.} jesty's subjects, for any matter or thing to be done in pursuance of this act; and in case any officer intrusted, or to be intrusted in the execution of this act, in relation to the said stamp duties, shall refuse or neglect to perform any matter or thing by this act required to be done or performed by him, whereby any of her Majesty's subjects shall or may sustain any damage whatsoever, such officer so offending, shall be liable by any action to be founded on this statute, to answer to the party grieved all such damages with treble costs of suit.

XXXI. And it is hereby further enacted by the authority ^{Separate ac-} aforesaid, That the duties last-mentioned and hereby granted, ^{count, and} shall be all paid, from time to time, into the hands of the re- ^{weekly pay-} ceiver general, for the time being, of the said duties on stamp ^{ment.} vellum, parchment, and paper, who shall keep a separate and distinct account thereof, and pay the same into the receipt of the

the Exchequer of her Majesty, her heirs or successors, weekly, on *Wednesday* in every week, unless it be an holyday, and then the next day after that shall not be an holyday, for the purposes in this act expressed.

Upon altering stamps those who have paper, &c. marked by them, may have it changed in 60 days.

XXXII. Provided always, and be it further enacted, That as often as her Majesty, her heirs or successors, shall think fit to alter or renew the said marks or stamps, to be provided or used in pursuance of this act, or any of them, it shall be lawful for all persons, who shall at that time have in their custody or possession, any vellum, parchment, or paper marked with the stamp or stamps which shall be so altered or renewed, and upon which none of the matters or things hereby charged shall be engrossed, written, or printed, at any time within the space of sixty days after such intention of renewing or altering shall be published by proclamation, to bring or send such vellum, parchment, or paper to the said commissioners at the said head office, or to such officers as shall be appointed in that behalf; and the said commissioners and officers respectively are hereby required to deliver, or cause to be delivered to the several persons, who shall so bring and deliver any quantity of vellum, parchment, or paper, the like quantity of vellum, parchment, and paper, and as good in quality, stampd with such new stamps, without demanding or taking, directly or indirectly, for the same, any sum of money or consideration whatsoever, under the penalty of forfeiting, for every such offence, one hundred pounds, to be sued for, recovered, and divided, in such manner as the other penalties in this act, relating to the said duties hereby charged on vellum, parchment, and paper, are directed to be sued for, recovered, and divided; and in case any person shall neglect or refuse, within the time aforesaid, to bring or cause to be brought and delivered to the said commissioners or officers, as aforesaid, any such vellum, parchment, or paper, the same is hereby declared to be of no other effect or use than if it had never been stamped; and that all matters or things charged with the duties last-mentioned, and hereby granted, which shall after that time be engrossed or written thereon, shall be of no other effect than if they had been engrossed or written on vellum, parchment, and paper not marked or stamped at all; and all persons, who shall engross or write any the matters or things hereby charged on such vellum, parchment, or paper after the said time, shall forfeit and suffer, as herein before is enacted for persons writing or engrossing on vellum, parchment, or paper not marked or stamped.

Paper, &c. not brought in, of no use, &c.

Proclamation for altering stamps to be sent to the mayors, &c. in 20 days.

XXXIII. Provided always, and be it further enacted, That as often as her Majesty, her heirs or successors, shall think fit to alter the said stamps, or any of them, that the proclamation which is hereby intended to be made for the giving all persons due notice thereof, shall, within twenty days after the date thereof, be sent to the mayor, chief magistrate, or other head officer of every city, corporation, borough, and market town, throughout

throughout her Majesty's kingdom of *Great Britain*; which officers respectively shall cause the same to be published to the inhabitants of such city, corporation, or town, either on the next market day, or next *Sunday* in the church, immediately after the time of divine service, upon pain of forfeiting the sum of two hundred pounds.

XXXIV. And be it further enacted by the authority aforesaid, That if any person or persons whatsoever, shall, at any time or times hereafter, counterfeit, or forge any stamp or mark, to resemble any stamp or mark which shall be provided, made, or used in pursuance of this act, or shall counterfeit or resemble the impression of the same, upon any vellum, parchment, or paper, thereby to defraud her Majesty, her heirs or successors, of any of the said duties on vellum, parchment, or paper, or shall utter, vend, or sell any vellum, parchment, or paper, with such counterfeit mark or stamp thereupon, knowing such mark or stamp to be counterfeit; or if any person whatsoever shall privately and fraudulently use any stamp, provided or used, or to be provided or used in pursuance of this or any former act or acts of parliament relating to the duties upon stampt vellum, parchment, and paper, so as thereby to defraud her Majesty, her heirs or successors, of any duty payable by this or any such former act or acts of parliament; then every such person so offending, and being thereof convicted in due form of law, shall be adjudged a felon, and suffer death as in cases of felony, without benefit of clergy.

Counterfeiting stamps, &c. felony. By 6 Geo. 1. c. 21. s. 60. it is felony to procure vellum, &c. to be marked with counterfeit stamps.

XXXV. And be it further enacted by the authority aforesaid, That the said commissioners, for the time being, appointed to manage the said duties upon stampt vellum, parchment, and paper, shall take care that the several parts of the kingdom of *Great Britain* shall, from time to time, be sufficiently furnished with vellum, parchment, and paper, stamped and marked, as aforesaid, so as the subjects of her Majesty, her heirs and successors, may have it in their election to buy the same of the officers or persons to be employed by the said commissioners at the usual and most common rates above the said duties, or to bring their own vellum, parchment, or paper to be stamped, as aforesaid, or to furnish themselves or others that shall have done the same.

Commissioners to furnish all parts of Great Britain with stamps.

XXXVI. And for the better distribution of the said vellum, parchment, and paper, and that the subjects may have the same with more conveniency, and at an easy rate; be it further enacted by the authority aforesaid, That the commissioners of the treasury now being, and the lord high treasurer of *Great Britain*, or commissioners of the treasury for the time being, shall once in every year, at least, set the prices of stampt vellum, parchment, and paper, that it shall be sold at; and that the said commissioners for the said duties upon vellum, parchment, and paper, shall stamp the said price so set upon every skin, or piece of vellum or parchment, or sheet or piece of paper, so by them to be sold; and that the said commissioners

Treasury to set price on stampt vellum, &c. yearly.

Commis-
sioners to al-
low 6l. per
cent. for
every 10l. for
6 months.

shall likewise allow and pay to every person that shall bring vellum, parchment, or paper to the said head office to be stamped in pursuance of this act (the duty whereof hereby imposed shall amount to the sum of ten pounds, or upwards) after the rate of six pounds in the hundred pounds *per annum*, for six months, upon present payment of the said duty upon the said vellum, parchment, or paper so by them brought, over and above the like allowance upon the same quantity by the said former acts; and that any persons that shall buy of the said commissioners, or their agents, vellum, parchment, or paper, at the head office for stamping the same, the duty whereof amounts to the like sum of ten pounds, or upwards, shall have the same allowance.

Penalties, how
to be distrib-
uted.

XXXVII. And be it further enacted by the authority afore-
said, That all penalties hereby imposed, relating to the said
duties upon stamp vellum, parchment, and paper, shall be, the
one moiety thereof to her Majesty, her heirs and successors, and
the other moiety thereof, with full costs of suit, to such person
or persons as shall inform and sue for the same in any of her
Majesty's courts at *Westminster*, for offences committed in *Eng-
land, Wales, or Berwick upon Tweed*, and in her Majesty's court
of *Exchequer* in *Scotland*, for offences committed in *Scotland*, by
action of debt, bill, plaint, or information, wherein no effoin,
protection, privilege, or wager of law, or any more than one
imparlance, shall be allowed.

Proviso for
almanacks.

XXXVIII. And in regard of the uncertainty how many al-
manacks for any one year will be sold, it is hereby provided
and enacted, That the commissioners for managing the said
stamp duties, shall and may deliver to the person or persons,
bodies politick or corporate, by or for whom any almanack or
almanacks is or are to be printed or published, paper marked or
stampd, according to the true intent and meaning hereof, for
the printing such almanack or almanacks, upon his, her, or
their giving sufficient security to pay the amount of the duties
hereby charged thereupon, within the space of three months
after such delivery; and that the said commissioners, upon
bringing to them any number of the copies of such almanacks,
within the said space of three months, and request to them in
that behalf made, shall cancel all the stamps upon such copies,
and abate to such person or persons so much of the money due
upon such his or their security or securities, as such cancelled
stamps shall amount unto; any thing herein contained to the
contrary notwithstanding.

From 11 June,
1711, for 12
years, cards
to pay 6d. per
pack, and dice
5s. per pair.

XXXIX. And be it further enacted by the authority afore-
said, That from and after the eleventh day of *June*, one thou-
sand seven hundred and eleven, during the term of thirty two
years from thence next ensuing, there shall be raised, levied,
collected, and paid, unto and for the use of her Majesty, her
heirs and successors, for all playing cards and dice, which
within or during the term last-mentioned, shall be made fit for
sale or use in *Great Britain*, or imported into the same, the du-
ties

Made perpe-
tual by 3 G. 1.
c. 7. f. 1.

ties following; that is to say, for every pack of such cards the sum of six pence, and for every pair of such dice the sum of five shillings, to be paid by the makers or importers thereof respectively.

XL. And it is hereby enacted, That the duties upon such cards and dice imported shall be levied and brought into the Exchequer, in such manner and form, and under such penalties and forfeitures, as any her Majesty's customs or duties on subsidy goods inwards, are, by any laws now in force, to be levied and brought into the said Exchequer.

Duties on cards and dice imported, how to be levied.

XLI. And it is hereby enacted, That all makers of playing cards or dice, in *Great Britain*, after the first day of *August*, one thousand seven hundred and eleven, before they respectively shall begin to make any such cards or dice, shall give or send notice in writing, of the usual house or place where they respectively shall make, or intend to make the same; which notice shall be given or sent to the said commissioners for the stamp duties on vellum, parchment, and paper, or to their officers next adjacent to the place where such cards or dice shall be made; and the like notice shall be given or sent, by every such maker of cards or dice during the term last mentioned, as often as they respectively shall change their places for that purpose, and as often as any person or persons shall set up, or exercise the employment of making cards or dice, in any house or place whatsoever in *Great Britain*, during the last mentioned term, the like notice shall be given or sent; upon pain that every person making default in giving such notice, as aforesaid, for every such offence shall forfeit the sum of fifty pounds; and that all and every person and persons, who shall, during the term last mentioned, make any cards or dice in any house or place not notified, as aforesaid, shall, for every such offence, forfeit the sum of fifty pounds; and that all and every such person and persons shall permit the proper officers for the said duties to enter such house or place for making of cards and dice, and take an account of the cards and dice there made, under the penalty of ten pounds for every refusal thereof; and that no maker of such cards and dice, chargeable with the said duties by this act, shall remove or suffer to be removed the same from the house or place of making thereof, from time to time, until such mark upon the dice, and such seal upon the paper and thread enclosing every pack of cards, shall be put thereupon, as the commissioners for the said duties on stamp vellum, parchment and paper, for the time being, shall, from time to time, devise and appoint, in writing under their hands, to denote the charging the said duties, upon pain of forfeiting all such cards and dice, and treble the value thereof, as shall be removed contrary to this act.

Makers of cards and dice, after 1 Aug. 1711. to give notice of the places where they make the same, on forfeiture of sol.

and to permit officer to take an account of cards and dice, on forfeiture of 10l.

and not to remove them till marked, on forfeiture of the cards, &c. and treble value.

See 10 Annæ, c. 10. s. 162.

XLII. And it is hereby further enacted, That the said makers of cards and dice, during the term last mentioned, shall, once in every twenty-eight days, make true entry upon oath with the said commissioners for the duties on stamp vellum, parchment and paper, or with their officer next adjacent to their

Makers to make entries on oath, once in 28 days. For the bonds to be given by said card-makers.

See 6 Geo. 1. said place of making, (which oath the said commissioners, or any
c. 21. f. 57, three or more of them, or the said officer, have hereby power to
58. administer) of all the cards and dice by such makers thereof re-

and to clear in
6 weeks, on
forfeiture of
20 l. and dou-
ble the duty.
Makers con-
cealing, forfeit
20 l.

spectively made, within the time for which every such entry
ought to be made; and shall, once in every six weeks, clear all
the duties owing from every such maker, by paying the same to
the receiver general for stampd vellum, parchment and paper,
or to the proper officer for the time being, for collecting the said
duties, for the use of her Majesty, her heirs and successors;
upon pain of forfeiting the sum of twenty pounds for every de-
fault in making such entry, and double the duty for non-pay-
ment thereof.

XLIII. And it is hereby enacted, That every maker of cards
and dice, who shall endeavour to defraud her Majesty by any
concealment, shall, for every such offence, forfeit the sum of
twenty pounds: and that all the penalties and forfeitures im-
posed by this act, in relation to the said duties on cards and
dice, shall be divided, to wit, one moiety thereof to the Queen's
majesty, her heirs, and successors, and the other moiety thereof
to such person or persons as will seize, inform or sue for the
same; and shall and may be recovered in the same manner and
form, as any penalties or forfeitures by this act imposed, for any
offence relating to the said duties on stampd vellum, parchment
and paper, are to be recovered: and that all the monies arising
by the said duties on cards and dice (the necessary charges of
raising the same excepted) shall, from time to time, be brought
into the receipt of Exchequer, for the purposes in this act ex-
pressed.

Duty on rock-
salt exported
to Ireland, for
32 years from
11 June, 1711.
9s. per ton,
made perpe-
tual by 3 Geo.
1. c. 7. f. 1.

XLIV. And be it enacted by the authority aforesaid, That
from and after the eleventh day of *June*, one thousand seven
hundred and eleven, for and during the term of thirty-two
years thence next ensuing, there shall be paid to her Majesty, her
heirs and successors, the sum of nine shillings for every tun of
rock salt which shall be put on board any ship or vessel in any
part of *Great Britain*, and exported to *Ireland*, or entered out
for such exportation, over and above the present duties payable
for the same, and so in proportion for every greater or lesser
quantity; and the same shall be paid by the exporter thereof
upon entry out for such exportation, to the proper officer of the
port where such rock salt shall be so put on board, or entered
out, and before any cocket shall be allowed or granted for the
same; and the said officer shall sign a certificate or receipt for
such sum of money as shall for such quantity of rock salt therein
specified be paid for by such exporter.

to be paid by
the exporter,
&c.

Drawbacks for
Ireland.

XLV. And for better securing her Majesty's said duty last
mentioned, be it further enacted by the authority aforesaid, That
no drawback shall be allowed or paid to such exporter or his
assigns, for duties formerly granted on rock salt, which, from
and after the said eleventh day of *June*, one thousand seven hun-
dred and eleven, shall be landed in *Ireland*, unless such certifi-
cate or receipt herein before mentioned, for payment of the duty
hereby

hereby granted, shall be first produced and delivered up to the proper officer authorized to pay or allow such drawback; any act or acts to the contrary thereof notwithstanding.

XLVI. Provided always, That in case any ship or vessel carrying rock salt to *Ireland*, shall either be lost at sea, or taken by the enemy, upon due proof made thereof upon oath, and producing the certificate or receipt before mentioned, that the duty hereby granted on such rock salt, was actually paid upon entry out of the same in *Great Britain*, the officer who signed the said certificate or receipt, and received the said money, shall repay the same without fee or reward. Proviso for ships lost, &c. at sea.

XLVII. And it is hereby also enacted, That all the monies arising by the said duties on rock salt, (the necessary charges of collecting and raising the same excepted) shall likewise be brought into the receipt of the Exchequer, for the purposes in this act expressed. Duties on rock salt to be paid into the Exchequer.

XLVIII. And to the end all the revenues, duties, and sums of money by this act payable upon licences for hackney coaches and chairs, and the said new duties upon stamp vellum, parchment and paper, and upon cards and dice, and upon the exportation of rock salt for *Ireland*, by this act granted, as aforesaid, may be duly and certainly raised, and the same (except the necessary charges of raising and managing the same duties and otherwise in the execution of this act) may be justly and duly brought into the said receipt of Exchequer, according to the true meaning hereof; it is hereby further enacted by the authority aforesaid, That, from time to time, during the continuance of this act, there shall be appointed such and so many commissioners and officers, as shall be proper and necessary for managing, raising, collecting, and paying the said revenues, duties, and sums of money last-mentioned, and hereby granted, as aforesaid, and for keeping and rendering the accounts of the same; and that the respective commissioners and officers concerned therein shall perform their several duties in relation to the premises, as to them respectively shall appertain, under such and the like penalties, forfeitures, and disabilities, for any offence or neglect therein, or for detaining, diverting, or misapplying any part of the monies arising by the said rates and duties, as are prescribed, and to be inflicted by virtue of an act of parliament made and passed in the ninth year of his late majesty King *William the Third*, intituled, *An Act for raising a sum not exceeding two millions, upon a fund for payment of annuities, after the rate of eight pounds per centum per annum, and for settling the trade to the East Indies*, for the like offence or neglect relating to the duties thereby granted or referred unto, or for detaining, diverting, or misapplying any part of the monies which were granted or appropriated by the act last-mentioned. Commissioners, officers, &c. liable to the act 9 & 10 W. 3. c. 44.

XLIX. And be it further enacted by the authority aforesaid, That if any person, who shall drive a coach, or carry a chair for hire, not being interested himself in a licence so to do, but shall act under the licence of another person, as his or her servant, Driver of coach for hire offending, forfeits 20s.

vant, or otherwise, shall be guilty of any misbehaviour in his employment, by demanding more than his fare, or by giving abusive language, or any other rude behaviour, every such person so offending, and being thereof convicted by the oath of one or more credible witnesses or witnesses, either before the major part of the commissioners for granting licences, according to this act, or before any one or more of her Majesty's justices of the peace for the city of *London*, and liberty of *Westminster*, or counties of *Middlesex* and *Surrey* (who are hereby impowered to enquire into such misbehaviour, and to issue forth their summons or warrants, and administer oaths accordingly) shall forfeit and pay a sum not exceeding twenty shillings, to be paid to the poor of the parish where such offence shall be committed; and if any person so convicted, as aforesaid, shall not be able, or refuse to pay the said sum so imposed, as aforesaid, he shall be committed to her Majesty's workhouse of *Bridewell*, or some other house of correction, there to be kept to hard labour for the space of seven days, and receive the public correction of the house, before he be discharged the same.

or sent to the
house of cor-
rection for 7
days, &c.

Salvo for the
universities;

L. Provided also, That nothing in this act contained shall extend, or be construed to extend, to prejudice any right the two universities of *Oxford* and *Cambridge*, or either of them, have, or claim to have, to the licensing any taverns, inns, or alehouses, within their several jurisdictions; but that the said universities may, from time to time, grant licences for any taverns, inns, and alehouses, within their several jurisdictions, subject to the several duties aforesaid, in as ample manner as they respectively might lawfully have granted the same, if this act had never been made; any thing herein contained to the contrary thereof notwithstanding.

and for St.
Alban's;

LI. Provided always, and be it enacted by the authority aforesaid, That this act, or any thing therein contained, shall not in any wise extend to debar or hinder the mayor and aldermen of the borough of *St. Alban's* in the county of *Hertford*, or their successors, from the using, exercising, and enjoying of all such liberties, privileges, powers, and authorities, to them heretofore granted (by the name of mayor and burgesses) by several letters patents under the great seal of *England*, by Queen *Elizabeth*, and King *James* the First, of famous memories, for the erecting, appointing, and licensing three several wine taverns within the said borough, for and towards the maintenance of the free school there; but that the same shall remain freed and discharged of and from the duty of four shillings a licence, chargeable by this act; any thing therein contained to the contrary in any wise notwithstanding.

and for pro-
prietors in
printing al-
manacks;

LII. Provided, That nothing in this act contained shall extend, or be construed to extend, to prejudice any right the two universities, or either of them, or the company of stationers, or any person or persons have, or claim to have, to the printing or reprinting any almanack or calendar, subject to the several duties aforesaid.

LIII. Provided

LIII. Provided always, and be it further enacted by the authority aforesaid, That nothing in this act contained shall be construed to extend to charge any calendar or perpetual almanack in any bible or common prayer book; or to charge any other calendar or almanack, with more than the duty that would be payable by this act for such other calendar or almanack, in case it were made for three years only.

And for the calendar in the book of common prayer, &c.

LIV. And whereas by an act of the present session of parliament, intituled, An act for establishing a general post-office for all her Majesty's dominions, and for settling a weekly sum out of the revenues thereof, for the service of the war, and other her Majesty's occasions, it is enacted, That from and after the nine and twentieth day of September, one thousand seven hundred and eleven, for and during the whole term of thirty two years from thence next and immediately ensuing, the full, clear, and entire weekly sum of seven hundred pounds of lawful money of Great Britain, out of all the duties and revenues, from time to time, arising by virtue of that act, shall be brought and paid into the receipt of your Majesty's Exchequer, in the manner therein mentioned, and under the penalties, forfeitures, and disabilities in that act expressed: and by another act of this session of parliament, intituled, An act for laying certain duties upon hides and skins tanned, tawed, or dressed, and upon vellum and parchment, for the term of thirty two years, for prosecuting the war, and other her Majesty's most necessary occasions, several rates and duties for and upon such hides and skins, and pieces of hides and skins, vellum and parchment, as are therein mentioned, are granted or made payable to your Majesty, your heirs and successors, for the term of thirty two years, to be reckoned from the four and twentieth day of June, one thousand seven hundred and eleven, with such other duties as in the same act are expressed, and all the monies arising by virtue of the act last-mentioned, (the necessary charges of raising, collecting, levying, paying, and accounting for the same, only excepted) are thereby required to be also paid, from time to time, into the receipt of your Majesty's Exchequer, in the manner and form, and under such penalties, forfeitures, and disabilities, as are thereby prescribed, as by the two acts last-mentioned, relation being thereunto severally had, may more fully appear: and whereas it is intended, That the said weekly sum of seven hundred pounds, to arise out of the said revenue of the post office, and all the said duties upon hides and skins, and pieces of hides and skins, vellum, and parchment, granted by the two acts last-mentioned, and the revenue to arise by licensing coaches and chairs, and the said new duties to arise by stamp'd vellum, parchment, and paper, and upon cards and dice, and upon the exportation of rock salt for Ireland, shall all together be made a fund or security, for raising any sum not exceeding two millions, towards your Majesty's supply, for the service of the war, and other your Majesty's most necessary occasions, by such methods, and in such manner and form as are herein after mentioned: now we your Majesty's said dutiful and loyal subjects, the commons of Great Britain in parliament assembled, for and towards the raising the said sum of two millions, do further most humbly beseech your Majesty that it may

9 Annæ, c. 10.

9 Annæ, c. 11.

9 Annæ, c. 10.

11.

Made perpetual by 3 Geo.

1. c. 7.
700l. per week
out of the post
office, and all
the duties by
this act granted,
appropriated for the
purposes of
this act.

Deficiency to
be made good
out of the first
aids to be
granted in
parliament,
&c.

may be enacted; and be it enacted by the authority aforesaid, That yearly and every year, during the term of thirty two years, reckoning the first year to begin from the nine and twentieth day of *September*, one thousand seven hundred and eleven, the full sum of one hundred eighty six thousand six hundred and seventy pounds, by or out of the monies to arise as well of or for the said weekly sum of seven hundred pounds out of the revenues of the general post office, and of or for the said duties, rates, and sums of money upon hides, and skins, and pieces of hides and skins, vellum and parchment, by virtue of the said other acts, or either of them, and by or out of the monies of the said revenue on licences for hackney coaches and chairs, and of the said new duties upon stampd vellum, parchment and paper, and upon cards and dice, and upon the exportation of rock salt for *Ireland*, by this act granted, and by or out of the monies to arise by all the said branches, every or any of them, and to be brought into the receipt of the Exchequer, from time to time, in case the same shall extend to the said sum of one hundred eighty six thousand six hundred and seventy pounds, shall be computed and reckoned to be a yearly fund; and in case all the monies arising into the Exchequer of or for all the duties, revenues, and branches charged, as aforesaid, shall not amount to one hundred eighty six thousand six hundred and seventy pounds *per annum*, then the monies so arising, so far as the same shall extend, shall be part of the said yearly fund of one hundred eighty six thousand six hundred and seventy pounds *per annum*, for and towards the answering and paying of all and every the principal sums herein after mentioned, amounting in the whole to the sum of two millions six hundred and two thousand two hundred pounds principal money, together with interest for the same, after the rate of six pounds *per centum per annum*, as herein after is also mentioned; and in case the said monies by this act appointed, as aforesaid, shall at any time or times appear to be so deficient or low in the produce of the same, as that within any one year to be reckoned, as aforesaid, the said monies arising into the Exchequer, for all the duties, revenues, and branches charged, as aforesaid, shall not amount to so much as one hundred eighty six thousand six hundred and seventy pounds, then, and so often, and in every such case, so much as shall be wanting to make up the said fund or sum of one hundred eighty six thousand six hundred and seventy pounds for every or any such year, shall be supplied and made good, from time to time, out of the first aid or supply to be granted in parliament next after such deficiency shall appear, and shall, from time to time, be transferred thereunto, as soon as the same shall be granted; and for want of such aid or supply, then such deficiency shall be supplied and made good by and out of any publick money which shall be in the said receipt of Exchequer, not appropriated to any particular use or uses by act of parliament; and the commissioners of the treasury now being, or the lord high treasurer, or the commissioners

tioners of the treasury for the time being, are hereby strictly enjoined and required to make up such deficiency accordingly out of such unappropriated publick money, without any further or other warrant or authority for the same.

LV. And be it further enacted by the authority aforesaid, That it shall and may be lawful for any person or persons, natives or foreigners, bodies politick or corporate, to contribute for or towards advancing the said sum of two millions, by paying at or before the respective days and times by this act limited in that behalf, to any receiver or receivers to be appointed for that purpose, as is herein after mentioned, the sum of one hundred pounds, or divers entire sums of one hundred pounds upon this act; and that for the raising the said sum of two millions, any person, who will become a contributor or adventurer, shall and may advance the sum of one hundred pounds, for which sum so advanced, he, she, or they shall be entitled to receive such principal money and the interest thereof, and such premiums, as herein after is expressed, to be paid by and out of the said yearly fund by this act appropriated; and that every contributor or adventurer may advance as many entire sums of one hundred pounds, as he, she, or they shall think fit; and for every such sum of one hundred pounds so advanced, he, she, or they is or are to be interested in one lot or share of and in the said yearly fund by this act appointed, and the same entire sums of one hundred pounds each are hereby appointed to be paid unto such receiver and receivers, at or before the respective days and times, and in the respective proportions herein after mentioned (that is to say) one fourth part thereof on or before the five and twentieth day of *June*, in the year of our Lord one thousand seven hundred and eleven, one other fourth part thereof, on or before the fifteenth day of *August*, in the said year of our Lord one thousand seven hundred and eleven, one other fourth part thereof, on or before the six and twentieth day of *September*, in the said year of our Lord one thousand seven hundred and eleven, and the remaining fourth part thereof, on or before the sixth day of *November*, in the said year of our Lord one thousand seven hundred and eleven. *The sections relating to the drawing of the lottery are,*

Natives or foreigners may contribute the sum of 100l. or divers entire sums of 100l.

Her Majesty may appoint managers. Books to be provided with three columns, &c. Receivers to be appointed by the lord high treasurer, &c. Managers to examine the books, and deliver them to the receivers, &c. Tickets how to be delivered out. Receivers to re-deliver the books, &c. by 25 July, 1711. Middle column tickets to be rolled up, and put into a box, marked (A). Innermost to remain in the books. There shall be printed twenty thousand tickets; the managers shall cause the tickets to be divided into five classes; the first classis to consist of one thousand three hundred and thirty, upon one of which shall be writ one thousand pounds, and upon fifty other, two hundred pounds, and upon the remaining one thousand two hundred seventy and nine shall be severally one hundred and ten pounds; the second classis to consist of two thousand six hundred and seventy tickets, upon one of which shall be three thousand pounds, upon one other two thousand pounds, upon one other one thousand pounds, upon one other five hundred pounds, upon four other severally four hundred pounds, upon five other severally three hundred

dred pounds, upon one hundred other severally two hundred pounds, and upon the remaining two thousand five hundred and fifty seven shall be severally writ one hundred and fifteen pounds; the third classis to consist of four thousand tickets, upon one of which shall be four thousand pounds, upon one other three thousand pounds, upon one other two thousand pounds, upon one other one thousand pounds, upon one other five hundred pounds, upon four other severally four hundred pounds, upon five other severally three hundred pounds, upon one hundred and fifty other severally two hundred pounds, and upon the remaining three thousand eight hundred and thirty six severally one hundred and twenty pounds; the fourth classis to consist of five thousand three hundred and forty tickets, upon one of which shall be writ five thousand pounds, upon one other four thousand pounds, upon one other three thousand pounds, upon one other two thousand pounds, upon one other one thousand pounds, upon one other five hundred pounds, upon four other four hundred pounds, upon five other three hundred pounds, upon two hundred other two hundred pounds, and upon the remaining five thousand one hundred and twenty five one hundred and twenty five pounds; the fifth classis to consist of six thousand six hundred and sixty tickets, upon one of which shall be writ twenty thousand pounds, upon one other five thousand pounds, upon one other four thousand pounds, upon one other three thousand pounds, upon one other two thousand pounds, upon one other one thousand pounds, upon one other five hundred pounds, upon four other four hundred pounds, upon five other three hundred pounds, upon two hundred and fifty other two hundred pounds, and upon the remaining six thousand three hundred and ninety four tickets one hundred and thirty pounds; together with five hundred pounds to the first drawn ticket of each classis, and five hundred pounds to the last drawn ticket of each classis, which will amount in the whole to two millions six hundred and two thousand and two hundred pounds, so that the owner of every ticket will be entitled, at least, to the certain principal sum of such classis, that is to say, one hundred and ten pounds for the first classis, one hundred and fifteen pounds for the second, one hundred and twenty pounds for the third, one hundred and twenty five pounds for the fourth, and one hundred and thirty pounds for the fifth classis, and interest at six per centum per annum, from the nine and twentieth of September, one thousand seven hundred and eleven. If the first fourth part of 2,000,000l. be not paid in by 25 June, then the fund to be proportionable to the sum advanced. The 20,000 tickets to be put into five several boxes. No money to be received after 25 June, 1711. Publick notice of the time of cutting the tickets. The manner of drawing the tickets. The manner of filling the tickets. The manner of entering the tickets of the several classes. The manner of adjusting the several premiums. To be paid in such numerical order as they shall be drawn, &c. A table of the number, order, and course of the tickets, &c. to be printed. Managers to adjudge to whom the premiums belong. Forging tickets felony. Managers to make books of the fortunate, and transmit them to the Exchequer. Payments to be quarterly. Managers to be sworn: their oath. Penalty on officers of the Exchequer and other officers offending. E X P.

Money lent
tax-free.

LXVII. And be it further enacted, That any money contributed or lent by, or payable to any person or persons, upon or by virtue of this act, shall not be charged or chargeable with any rates, taxes, duties, or impositions whatsoever.

Tickets to be exchanged for standing orders. How the first and second year's interest of large premiums shall be secured. Orders to be paid in course, &c. Treasury may divide extraordinary benefits of above 2000l. into orders of 500l. E X P.

The monies
appropriated
by this act, to

LXXII. And for the better ascertaining and securing the payment, as well of all the said principal money payable by virtue

virtue of this act, as of the said interest to grow due upon the same; be it further enacted, That all such monies as shall arise and come into the receipt of the Exchequer, upon or for the said rates and duties upon hides and skins, and pieces of hides and skins, vellum, and parchment, on or before the said nine and twentieth day of *September*, which shall be in the year of our Lord one thousand seven hundred and eleven, shall be applicable and applied to the payment of so much of the said principal sum of two millions six hundred and two thousand two hundred pounds, or of such proportionable part thereof as shall be due by virtue of this act, as the same will extend to pay and discharge, according to the course of payment before directed; and that from and after the said nine and twentieth day of *September*, one thousand seven hundred and eleven, during the said term of two and thirty years (unless the said principal sum of two millions six hundred and two thousand two hundred and two pounds, or of such proportionable part thereof, as shall be due by virtue of this act, and all the interest thereof shall be sooner paid off and discharged) yearly and every year, accounting every year to commence from the nine and twentieth day of *September* in each and every year, the yearly sum of one hundred eighty six thousand six hundred and seventy pounds, of the monies which shall arise and be brought into the receipt of the Exchequer, for or upon all the said duties, revenues, and branches hereby charged, as aforesaid, and in case the same will not extend thereto, then so far as the same will extend, shall be applied and appropriated, and the same is hereby accordingly appropriated, for and towards paying and discharging the money which shall remain due of the said principal sum of two millions six hundred and two thousand two hundred pounds, or of such proportionable part thereof, as shall be due by virtue of this act, and the interest thereof, in manner following, (that is to say) That quarterly, *viz.* on or within twenty days next after the five and twentieth day of *December*, five and twentieth day of *March*, four and twentieth day of *June*, and the nine and twentieth day of *September*, yearly and in every year, during the said term of two and thirty years, the commissioners of her Majesty's treasury now being, or the lord high treasurer, or the commissioners of the treasury for the time being, shall cause a true and exact account to be made of the monies which shall, on or before every respective five and twentieth day of *December*, five and twentieth day of *March*, four and twentieth day of *June*, and nine and twentieth day of *September*, of and in each and every respective year, have arisen or been brought into the Exchequer, in the preceding quarter of a year, ending on the said five and twentieth day of *December*, five and twentieth day of *March*, four and twentieth day of *June*, and nine and twentieth day of *September*, in every year, for or upon all the said duties, revenues, and branches hereby charged, as aforesaid; and that deducting thereout so much as shall be sufficient to pay and satisfy, and which shall be accordingly applied to pay and satisfy the interest

for such preceding quarter of a year, upon and ~~and~~ all the monies then due and unpaid of the said principal sum of two millions six hundred and two thousand two hundred pounds, or of such proportionable part thereof, as shall be due, by virtue of this act, or for payment whereof money is not reserved in the Exchequer, the whole residue and remainder of the monies so arising or coming into the Exchequer, in such preceding quarter of a year, shall be immediately, from time to time, applicable, appropriated, and applied towards paying and discharging such part of the said principal sum of two millions six hundred and two thousand two hundred pounds, or of such proportionable part thereof, as shall be due by virtue of this act, as shall then remain due and unpaid, and that according to such method and course of payment, as aforesaid, so as the whole produce of all the said duties, revenues, and branches hereby charged, as aforesaid, which shall be brought into the said receipt of the Exchequer in any one year, to be computed from the nine and twentieth day of *September*, in every year, doth not amount to more than the said yearly sum of one hundred eighty six thousand six hundred and seventy pounds, or such proportionable part thereof, as is hereby appropriated for paying and discharging the principal money and interest charged thereupon by this act; it being intended, that the said yearly sum of one hundred eighty six thousand six hundred and seventy pounds, or such part thereof, as shall be in such proportion, as aforesaid, to the whole sum which shall be advanced or contributed by virtue of this act, and no more, shall, during the said term of thirty two years, be applied and appropriated for paying and discharging the said principal and interest, unless all the principal money, and interest chargeable thereupon by virtue of this act, shall be sooner paid off and discharged.

Surplus disposable by parliament.

LXXIII. Provided also, and be it further enacted, That in case after the said nine and twentieth day of *September*, one thousand seven hundred and eleven, there shall be any surplus or remainder of the monies arising by the rates and duties, and sums of money appropriated by this act, at the end of any one year of the said term of thirty two years (every such year to be computed from the nine and twentieth day of *September* in every year) over and above the said yearly sum of one hundred eighty six thousand six hundred and seventy pounds, or such proportionable part thereof, as aforesaid; and after such application, as aforesaid, of the said yearly sum of one hundred eighty six thousand six hundred and seventy pounds, or such proportionable part thereof, as aforesaid, and after all other charges and payments directed or authorized by this act, shall be fully satisfied, paid, and discharged; or money sufficient shall be reserved for that purpose, such surplus or remainder shall be reserved for the publick use, and shall be disposed and disposeable by authority of parliament, and not otherwise; any thing herein contained to the contrary thereof in any wise notwithstanding. [*The following sections are expired.*]

Publick

Publick notice to be given when orders shall become payable. Eight pence per ~~year~~ per diem, to 29 Sept. 1711. allowed for the first payment. Four pence per cent. per diem for the other three payments. Receivers may take in money before they receive their books. Contributor advancing one part of the payment, and failing in the next, forfeits what is paid, &c. Officers to be paid out of the money arising by this act. If principal and interest be fully paid off before the thirty two years, then duties to cease. Treasury to appoint a paymaster, &c. Assignments of standing orders to be registered. Receipts for plate brought into the mint, pursuant to her Majesty's warrant, to be accepted as money for contributions on this act. The major part of bodies politick, corporate, or collegiate, may advance their money or plate on the credit of this act. Benefit tickets in the lottery 1710, not being adjusted, present managers may settle them before 29 Sept. 1711. EXP.

LXXXV. And be it enacted by the authority aforesaid, That all the monies lent or to be lent to her Majesty upon one act of this session of parliament, intituled, *An act for granting an aid to her Majesty to be raised by a land-tax in Great Britain, for the service of the year one thousand seven hundred and eleven*, and so much money (if any such be) of the tax thereby granted, as shall arise and remain after all the loans made or to be made upon that act, or thereby transferred, or directed to be transferred thereunto, and the interest thereof, and the charges thereby allowable for the raising the said tax, shall be satisfied, or money sufficient shall be reserved to discharge the same; and all the monies lent and to be lent unto her Majesty upon another act of this session of parliament, intituled, *An act for charging and continuing the duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and eleven*, and so much money of the said duties of malt, mum, cyder, and perry thereby granted, as shall arise and remain after all the loans made or to be made upon that act, or thereby transferred, or directed to be transferred thereunto, and the interest thereof, and the charge thereby allowable for the raising the said duties thereby granted, shall be satisfied, or money sufficient shall be reserved to discharge the same; and all the monies arisen, or to arise by another act of this session of parliament, intituled, *An act for reviving, continuing, and appropriating certain duties upon several commodities to be exported, and certain duties upon coals to be waterborn and carried coastwise, and for granting further duties upon candles, for thirty two years, to raise fifteen hundred thousand pounds by way of a lottery, for the service of the year one thousand seven hundred and eleven; and for suppressing such unlawful lotteries, and such insurance-offices as are therein mentioned*; and all the monies lent and to be lent unto her Majesty upon one other act of this session of parliament, intituled, *An act for laying a duty upon hops*, and so much money (if any such be) of the said duty upon hops, as shall arise and remain after all the loans made or to be made upon that act, and the interest thereof, and the charges thereby allowable for raising the said duty upon hops, shall be satisfied, or money sufficient shall be reserved to discharge the same; and all the monies which, over and above the allowances for prompt payment, and other allowances directed by this

Clause of appropriation of the several sums granted this session.

9 Annæ, c. 1.

9 Annæ, c. 3.

9 Annæ, c. 6.

9 Annæ, c. 12.

this present act, shall arise of or for the said contributions, not exceeding the sum of two millions in this act mentioned, shall be appropriated for or towards the several uses, intents, and purposes herein after expressed; that is to say, that out of all the monies hereby appropriated, or any of them, or by registering orders upon them, or any of them, there shall be paid and satisfied to the governor and company of the bank of *England*, all such sum and sums of money as shall be due, and payable unto them, by virtue of an act of this session of parliament for enabling and obliging the bank of *England*, for the time therein mentioned, to exchange all Exchequer bills for ready money upon demand, for or upon the yearly sum of forty five thousand pounds therein mentioned, from the commencement of their late undertaking to circulate all Exchequer bills, according to the said act, until the one and thirtieth day of *July*, one thousand seven hundred and fourteen, inclusively, at such times, and in such manner, as in the same act are prescribed; and that all the rest and residue of the monies by this act appropriated, shall be applied and disposed for or towards defraying the charges of the ordinary of her Majesty's navy, and for victuals, wages, wear and tear, and other services of the navy, and the victualling thereof, performed and to be performed, and for sea service in the ordnance, performed and to be performed; and for or towards maintaining a body of forty thousand men, which was raised to act in conjunction with the forces of her Majesty's allies, and for or towards maintaining the additional forces of ten thousand men in the *Low Countries*; and for or towards her Majesty's proportion of the charge of three thousand *Palatines*, formerly taken into the service of her Majesty and her allies; and for or towards her Majesty's proportion of the charge of four thousand six hundred thirty nine *Saxons*, taken into the service of her Majesty and the *States General*, in the year one thousand seven hundred and seven; and for or towards her Majesty's proportion of the charge of *Bothmar's* regiment of dragoons, consisting of eight hundred men, formerly taken into the service of her Majesty, and the *States General*; and for or towards defraying her Majesty's proportion of the charge of the troops of augmentation, which were taken into the service of her Majesty, and the *States General*, in or about the year one thousand seven hundred and nine; and for or towards the charge of the office of her Majesty's ordnance for land service, performed, and to be performed, including the charge of the fortifications of *Gibraltar*; and for or towards the charge of transportation of land forces, performed, and to be performed; and for or towards the payments of her Majesty's proportion of the subsidies payable, pursuant to treaties made and to be made with her Majesty's allies; and for or towards the charge of maintaining her Majesty's guards and garrisons in *Great Britain*, including five thousand men to serve on board the fleet, and for the payment of the invalids, and all contingent charges belonging to the said guards and garrisons, and

and land forces respectively; and for or towards the charges which have been or shall be expended for the service of the war in *Spain and Portugal*; and for or towards defraying the extraordinary charges of the war in *Spain, Portugal, the Low Countries*, and elsewhere, incurred, and to be incurred; and for or towards satisfaction of the sum of three thousand five hundred pounds for salaries, and any sum not exceeding two thousand five hundred pounds, for payment of clerks, and other charges to be allowed, without account, to the seven commissioners appointed by an act of this session of parliament for stating the accounts of all the publick monies; and to none other uses, intents, and purposes whatsoever.

LXXXVI. Provided always, That out of the monies to be issued to the guards and garrisons, as aforesaid, there shall and may be taken and applied any sum not exceeding eighty seven thousand one hundred twenty five pounds, and ten shillings, towards the charge of maintaining the soldiers raised, and to be raised for sea service, with their officers, and the contingent charges thereunto belonging; and out of the monies to be issued for the service of the navy, and sea service, as aforesaid, there shall and may be taken and applied such sums as, together with the said sum not exceeding eighty seven thousand one hundred twenty five pounds, and ten shillings, shall be necessary for the charge of maintaining the said soldiers for sea service, with their officers, and the contingent charges thereunto belonging; any thing herein contained to the contrary notwithstanding.

Soldiers for sea service, how to be paid.

LXXXVII. Provided also, and it is hereby enacted and declared, That no appropriation, or other matter or thing in this act contained, shall obstruct or hinder any payment which by any other act of this session of parliament shall be required and authorized to be made by the treasurer or paymaster of the navy for the time being, or by any other persons to be intrusted with the publick monies for the service of the navy, out of such publick monies, tallies, orders, or parliamentary securities in their hands or power respectively, as are or shall thereby be charged or chargeable to make good any deficiency or deficiencies to any corporation to be erected by or in pursuance of such other act of parliament; any thing herein contained to the contrary notwithstanding.

No appropriation to obstruct any payment by the treasurer of the navy, to make good deficiencies to the South Sea corporation.

LXXXVIII. And whereas the proprietors and inhabitants of the islands of Nevis and Saint Christophers in America, did sustain very great losses by a late invasion of the French, who committed great depredations there; and it became necessary to give some encouragement to the sufferers by the said invasion, to resettle their plantations in the said islands, to prevent the great damage which the crown might otherwise sustain by the total loss thereof: For the making good of the said encouragement, it is hereby enacted by the authority aforesaid, That the sum of one hundred and three thousand and three pounds, eleven shillings, and four pence, shall be distributed to and amongst such proprietors and inha-

103,003l. 11s. 4d. to be distributed amongst the inhabitants of Nevis and St. Christophers, who have resettled there. Farther provisions relating hereto, by 10 Annæ, c. 34. 5 Geo. 1. c. 39.

8 Geo. 1. c. 20. f. 43. and 13. 10. bitants only of the said islands of *Nevis* and *Saint Christopher*, who have resettled, or shall resettle their plantations in the same islands respectively; and that her Majesty's commissioners for the affairs of trade and plantations, or the major part of them, now or for the time being, shall cause a proportionable part of the said sum for every one of the said proprietors and inhabitants, who suffered by the said invasion, and who have resettled, or shall resettle their plantations in the said islands, or either of them, according as the loss sustained by every such proprietor or inhabitant doth or shall appear to the same commissioners of trade and plantations, or the major part of them, by the return of a commission for that purpose formerly issued, to be carefully computed and adjusted, so that such sufferers respectively, in proportion to their respective losses, be entitled to their respective shares of the said sum of one hundred and three thousand and three pounds, eleven shillings, and four pence; and that the said commissioners for the affairs of trade and plantations, or the major part of them, do on or before the five and twentieth day of *December*, one thousand seven hundred and eleven, make forth the debentures for the said proportional sums not to exceed in the whole the said sum of one hundred and three thousand and three pounds, eleven shillings, and four pence, to be paid to the said proprietors and inhabitants, or to their certain attornies, executors, administrators, or assigns respectively; which debentures shall be signed by the said commissioners of trade and plantations, or the major part of them, and shall bear interest for the principal sums therein to be contained, after the rate of six pounds *per centum per annum*, from making forth the same, and shall be entred in the register kept for the debentures which were lately charged on the forfeited estates in *Ireland*; and such principal and interest shall be satisfied in like manner as the unsatisfied debentures which were lately charged on the said forfeited estates in *Ireland*, are to be satisfied and discharged, and shall and may be delivered to such as the persons to be intitled thereunto respectively have authorized, or shall authorize to receive the same, in order to obtain such satisfaction thereupon.

Commissioners of trade to enquire on oath concerning the persons resettled there.

LXXXIX. And it is hereby enacted, That the said commissioners for the affairs of trade and plantations, or the major part of them, shall and may enquire upon oath (which they, or any one or more of them, have hereby power to administer) or by any other lawful ways and means, of and concerning the persons who are or shall be resettled in the said islands, or either of them, and be thereby entitled to a proportional part of the said sum to be distributed to or amongst such persons, according to the true meaning of this act.

Coals carried from the west of Scotland to Ireland, &c. to pay as coals from the west

XC. *And whereas in an act passed in this present session of parliament, intituled*, An act for reviving, continuing, and appropriating certain duties upon several commodities to be exported, and certain duties upon coals to be waterborn and carried coastwise, and for granting further duties upon candles, for two and thirty

thirty years, to raise one million five hundred thousand pounds, by way of lottery, for the service of the year one thousand seven hundred and eleven, and for suppressing such unlawful lotteries, and such insurance offices, as are therein mentioned, *some doubt may arise what duty is charged upon coals exported from the west of Scotland to Ireland, or the Isle of Man; be it enacted and declared by the authority aforesaid, That the said coals shall be charged with the same duty, and no more, as coals exported from the west of England to Ireland, and the Isle of Man, are and stand charged by virtue of the said act.*

of England to
Ireland, &c.
9 Annæ, c. 6.

CAP. XXIV.

An act for relief of the creditors and proprietors of the company of Mine Adventurers, by establishing a method for settling the differences between the company and their creditors, and for uniting them, in order to an effectual working the mines of the said company.

WHEREAS the governor and company of the Mine Adventurers of England (by the great expences in working and manufaturing their mines and minerals, and by other charges incident to so great and difficult an undertaking) have contracted so great a debt, that by their stock or produce of the said mines, or sale or mortgage thereof, the said company is altogether unable to pay the same: and whereas by the unhappy differences and disputes that have arisen amongst the members of the said company, and also between the said company and their creditors, the working and managing the said mines is almost totally interrupted, whereby the large sums of money expended in bringing them to their present state and condition, are in great danger of being entirely lost: and whereas the mines belonging to the said company are so rich and valuable, that if the same were settled and established under good management, and a regular constitution, they might, besides answering the charge of working them, turn more to the satisfaction of all persons interested or concerned therein, and likewise great benefit would accrue to the publick by so profitable a manufactory: and whereas an expedient hath been proposed for satisfying the debts, and composing the differences of the said company and their creditors, by an union or coalition of their respective debts and interests in and upon the said mines, under one denomination, and for raising a stock for effectually working and manufaturing the said mines and minerals; and for discovering all unwarrantable practices that have been therein, and for preventing the like for the future, by settling the management under a more regular establishment, it is therefore humbly prayed, that it may be enacted; and be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That all grants, contracts, bargains, sales, leases, mortgages, conveyances, and assurances, made of any mines, minerals, lands, tenements, hereditaments, stocks, goods, and chattels, by the said governor and company of Mine Adventurers

All grants, &c. made by the company of Mine Adventurers, since they first stoppt payment of their bills, &c. void.

of *England*, to any person or persons whatsoever, since the time the said governor and company of *Mine Adventurers of England* first stopt or postponed payment of their bills or Bonds, or by any person or persons seized or possessed of any mines, minerals, lands, tenements, hereditaments, stock, goods, and chattels, in trust for the said governor and company of *Mine Adventurers of England*, shall and are hereby declared to be absolutely void and of none effect.

EXP.

All new shares above the 6012 allowed by charter, void, &c. Money advanced on the call 15 Feb. 1708, &c. allowed. Bargains, &c. made the since the company stopt payment, good. Creditors united with the members. A general meeting of the company and creditors to be called within 20 days after 11 June, 1711. Deputy governor, &c. dying, &c. others to be chosen. Deputy governor, &c. to manage the company's affairs. A book to be provided by 15 July, 1711, to enter claims. Attendance to be given daily for entering claims, till 16 Sep. 1711. Claimers names to be printed. Creditors, &c. to give in their claims by 16 Sep. 1711. Accountants to examine the claims. A list to be printed of the persons entitled to shares. Sharers names, &c. to be entered in a book. Shares assignable, &c. After duke of Leeds's death, governor to be annually chosen having ten shares. Qualification of voters, &c. after the new distribution of shares. Proxies. Governor, &c. annually to state the condition of the company, &c. Penalty for not stating.

Governor, &c.
at a general
meeting, may
call in 40s.
per share.

IX. And be it further enacted by the authority aforesaid, That for the raising a stock of money for the better carrying on the working and improving the mines of the said company of the *Mine Adventurers of England*, and for answering the exigencies of the said company, and, in the first place, for defraying the necessary charges of passing this present act; it shall and may be lawful to and for the said governor, deputy governor, and directors of the said company, with the consent and approbation of a general assembly or meeting of the members of the said company, duly called, after such new division and distribution of the six thousand and twelve shares, made in manner as is by this act required, to call in, or direct to be paid to the said governor, deputy governor, and directors, or to such person or persons as they shall appoint to receive the same, any sum or sums of money, not exceeding forty shillings *per* share; and that all executors, administrators, guardians, and trustees, shall be indemnified in paying the same; and in case any member of the said company shall neglect or refuse to pay his, her, or their share of the money so called in at the time or times appointed for that purpose by notice in the *London Gazette*, he, she, or they so neglecting, shall forfeit one moiety of his or their respective shares or interest in the said company, which said moiety so forfeited, as aforesaid, shall remain and be for the use of the said company, who may dispose thereof at a general court; and it shall and may be lawful for the said governor, deputy governor, and directors, and their successors, to restrain or hinder the said member or members from transferring his or their other moiety of shares or interest, or any other part thereof, in the said company: Provided always, That the said governor and company may, by several calls, in manner as before directed,

Penalty on
members not
paying.

rected, appoint the payment of any part of the said sum of forty shillings, and at several times; but the said governor and company are hereby restrained from calling in upon their said members at any time or times, any sum or sums exceeding in the whole forty shillings *per share*; and every call so made and appointed, after the respective proprietors of the six thousand and twelve shares have paid in, for the use of the company, forty shillings *per share*, shall be void, and of no force or effect.

Accountants to examine the accounts, &c. of the company, and to examine those who managed the company's affairs, &c. No transfer to be where accounts are depending. Deputy governor, &c. in 1707. or since, not capable to be elected again before 16 Nov. 1712. Shares, &c. not claimed before 16 Sep. 1711. forfeited. Except in case of dispute.

XVI. And be it enacted by the authority aforesaid, That this Publick act shall be deemed and taken to be a publick act of parliament, of which all judges, justices, and other persons are to take notice.

Proviso for the parish children of Saint Sepulchre's, and Elizabeth Hammond. For Richard Sterne of York Esq; For the duke of Leeds.

C A P. XXV.

An act for making the act of the fifth year of her Majesty's reign, for the better preservation of the game, perpetual, and for making the same more effectual.

WHEREAS the act made in the fifth year of her Majesty's reign, intituled, An act for the better preservation of the game, will expire at the end of this present session of parliament, unless the same be continued: and whereas the said act hath been found to be an useful law for the preservation of the game of this kingdom; be it therefore enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said recited act, and all the clauses, matters, and things therein contained, shall stand in full force and virtue, and be continued, and deemed, and taken to be a perpetual law, subject nevertheless to the additions or alterations herein after in this act contained: that is to say, Whereas by the said recited act, any lord or lady of a manor might appoint several game keepers in the same manor, and every one of the game keepers so appointed might kill any game in the same manor; for the preventing therefore of the destruction of the game of this kingdom, which may happen by appointing several game keepers in the same manor, with authority to kill the game therein; be it further enacted by the authority aforesaid, That from and after the first day of May, one thousand seven hundred and eleven, no lord or lady of a manor shall make, constitute or appoint above one person to be a game keeper within any one manor, with power or authority to kill or destroy the game thereof; and that the name of such person,

Annæ, c. 14.

The act 5 Annæ, c. 14. made perpetual.

After 1 May, 1711, lords of manors shall appoint but one game keeper in one manor, whose name shall be entered with the clerk of the peace.

so By 3 Geo 1. c. 11.

The game keeper must be either qualified, or the lord's servant.

Game keepers not so qualified, or other unqualified person, killing or selling any hare, &c. to be liable to the forfeitures inflicted by the said act on higlars, &c.
5 ANNÆ, c. 14.

so to be authorized to kill the game, shall, from time to time, be entered with the clerk of the peace, for the time being, of the county, riding, or division wherein such manor doth lie, such entry to be made and viewed without fee or reward, and a certificate thereof to be granted by the clerk of the peace, upon payment of one shilling for the same; and in case any other game keeper, whose name shall not be so entered, as aforesaid, who shall not be otherwise qualified by the laws of this kingdom to kill game, shall presume to kill any hare, pheasant, partridge, moor, heath-game, or grouse, or if any game keeper or game keepers, or other person or persons whatsoever, not being qualified in his own right to kill game, shall sell, or expose to sale, any hare, pheasant, partridge, moor, heath-game, or grouse, the respective offender or offenders herein shall, for every offence, incur such forfeitures, pains, and penalties, as are inflicted by the said recited act upon higlars, carriers, inn keepers, or victuallers, for buying or selling of game, such forfeitures to be recovered by such means, and in such manner and form, and within such time, and to such uses, as are prescribed by the said act; any thing in the said recited act, or in any other law or statute to the contrary thereof in any wise notwithstanding.

If any hare, &c. be found in the shop, &c. of any unqualified person, &c. it shall be judged as an exposing to sale.

II. And be it further enacted by the authority aforesaid, That if any hare, pheasant, partridge, moor, heath-game, or grouse, shall be found in the shop, house, or possession of any person or persons whatsoever, not qualified in his own right to kill game, or being entitled thereto under some person so qualified, the same shall be adjudged, deemed, and taken to be an exposing thereof to sale, within the true intent and meaning of this and the said recited act; any thing in this or in the said recited act contained to the contrary thereof in any wise notwithstanding.

Killing any hare, &c. in the night, to incur the like forfeitures.

III. And be it further enacted by the authority aforesaid, That if any person or persons whatsoever, shall take, kill, or destroy any hare, pheasant, partridge, moor, heath-game, or grouse, in the night time, the person or persons so offending, shall likewise for every such offence incur such forfeitures, pains, and penalties, as aforesaid, to be recovered likewise by such means, within such time, and to such uses, as aforesaid.

10 Geo. 2. c. 32.

IV. And whereas very great numbers of wild fowl, of several kinds, are destroyed by the pernicious practice of driving and taking them with hayes, tunnels, and other nets, in the fens, lakes, and broad waters, where fowl resort in the moulting time, and that at a season of the year when the fowl are sick, and moulting their feathers, and the flesh unsavory and unwholesome, to the prejudice of those that buy them, and to the great damage and decay of the breed of wild fowl; be it therefore further enacted by the authority aforesaid, That if any person or persons whatsoever, between the first day of July and the first day of September, as they shall yearly happen, shall by hayes, tunnels, or other nets, drive and take any wild duck, teal, widgeon, or any other fowl, commonly reputed water

No person shall between July and 1 Sep. take any wild duck, &c. by hayes, &c.

water fowl in any of the fens, lakes, broad waters, or other places of resort for wild fowl in the moulting season, such person or persons, who shall so offend, and thereof shall be convicted before any one or more of her Majesty's justices of the peace for the county where such offence shall be committed, by the oath of one or more credible witnesses, shall for every wild duck, teal, or other water fowl so taken, as aforesaid, forfeit and pay the sum of five shillings; one moiety thereof to be paid to the informer, and the other moiety to the poor of the parish where such offence shall be committed; the same to be levied by distress and sale of the offender's goods, by warrant under the hand and seal of the justice and justices of the peace, before whom the offender shall be convicted, rendering the overplus, if any be, above the penalty and charge of distress; and for want of distress the offender or offenders shall be committed to the house of correction for any time not exceeding one month, nor less than fourteen days, there to be whipt and kept to hard labour; and the justice or justices of the peace, before whom such person or persons so offending shall be convicted, shall order such hayes, nets, or tunnels, that were used in driving and taking the said wild fowl, as aforesaid, to be seized, and immediately destroyed, in the presence of such justice or justices.

on forfeiture of 5s. for each wild fowl, &c. One moiety to the informer, the other to the poor, to be levied by distress, for want of which the offender to be committed.

Such hayes, &c. to be destroyed.

CAP. XXVI.

An act for the better preservation and improvement of the fishery within the river of Thames, and for regulating and governing the company of fishermen of the said river.

WHEREAS the preservation of the fishery of the river of Thames, and the good government of the company of fishermen of the said river, are not only highly necessary for furnishing her Majesty's subjects inhabiting within the cities of London and Westminster, and the parts adjacent, with good, wholesome, cheap, and seasonable fish, but likewise advantageous to her Majesty, and the trade of this kingdom, in breeding up able-bodied sea-faring men, and preventing frauds committed in running of goods and merchandizes, whereby the revenues of the crown have been much lessened; be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the tenth day of June, one thousand seven hundred and eleven, it shall and may be lawful to and for the court of assistants of the said company for the time being, or the major part of them present, to make such by-laws and ordinances for the good rule and government of the said company, as they shall think fit, so as the same be always first approved of, or from time to time, altered or amended by the court of the lord mayor and aldermen of the city of London, and likewise allowed and confirmed, according to the form of the statute in that behalf made and provided; and that from and after the said tenth day of June, there shall be yearly and every

After 10 June, 1711, the court of assistants of the fishermen's company may make by-laws, to be approved by the court of aldermen of London,

who shall
chuse yearly
out of the six
wardens of
the said com-
pany, a matter
of the art of
fishermen;
and out of the
12 assistants six
wardens (the
water bailiff
of London to
be one) and
30 assistants.

The master,
&c. constitut-
ed the court of
assistants, who
shall meet the
first Thursday
in every
month, to re-
gulate abuses,
&c.

They shall
summon the
fishermen,
and cause their
names to be
registred, &c.

shall cause
marks to be
put on every
boat.

Every person
summoned,
&c. and refu-
sing to appear,
shall be sent
on board the
fleet, and dis-
abled from
fishing for two
years.

every year elected and chosen by the next court of lord mayor and aldermen, to be held after the said tenth day of June, out of the six wardens of the said company, for the time being, to be nominated by the said court of assistants, one fit person to be a master of the said art or mystery of fishermen; and also out of twelve assistants to be nominated, as aforesaid, six fit persons to be wardens of the said art or mystery, (whereof the water bailiff of the city of London, for the time being, shall be one) and in like manner out of sixty of the commonalty to be nominated, as aforesaid, thirty fit persons to be assistants of the said company; which said master, wardens, and assistants, or any sixteen of them, together with three of the said wardens, shall be, and are hereby constituted the court of assistants of the said company, for the time being, and shall meet and assemble together, from time to time, on the first Thursday in every calendar month in the year, in the hall of the said company, in order to form the said court of assistants, and keep the same, for regulating and reforming abuses committed in the said fishery, and for the due ordering and governance of the said company; to the holding of which court the said water bailiff shall be always duly summoned to attend; and the said court of assistants, or the major part of them present, shall, from time to time, call before them all and every such person and persons as shall use to fish or drudge within the limits of the said fishery as common fishermen or drudgermen, and cause every such person and persons, being duly qualified, or having served on board her Majesty's navy for the space of two years, to have his or their name or names entred and registred in a book or books to be kept by the said court of assistants for that purpose, together with his and their respective places of abode, and the name of every apprentice or servant belonging to him or them, in using the trade of fishing or drugging within the said limits; and shall likewise cause some mark of distinction, by figure or otherwise, to be placed on every boat, vessel, and craft, which shall, after the said tenth day of June, be used in fishing or drudging within the limits aforesaid; which said figure or mark of distinction shall not be changed, altered, or defaced, to the end, that from time to time, and at all times hereafter, every such person and persons, apprentice, and servant, as shall offend, contrary to the meaning of this act, may the better be detected, and that her Majesty, her heirs and successors, may the better be enabled to know what number of able bodied seamen the said company can furnish for publick service; and that every person and persons being duly summoned by the direction of the said court of assistants, to be and appear before them, in order to be entred and serve on board her Majesty's navy, who shall, without lawful cause, refuse or neglect to appear, according to the tenor of such summonses shall be sent on board her Majesty's navy, and be disabled from fishing on the said river of Thames for the space of two years.

II. And be it enacted by the authority aforesaid, That no person or persons whatsoever shall, from and after the said tenth day of *June*, wilfully kill, or expose to sale, any spawn, fry, or brood of fish, or spatt of oysters, or any unfizable, small, or unwholsome fish, or catch, kill, or destroy any fish out of season, or expose such fish to sale, or wilfully or knowingly buy, harbour, receive, or use as food for hogs, or otherwise, any such spawn, fry, brood of fish, or spatt of oysters, unfizable, small, or unwholsome fish, or any fish caught out of season, on pain of being punished as herein after is mentioned; and that salmon fish, which are become very scarce by destroying great quantities of salmon, and salmon-kind fish, betwixt the twenty fourth day of *August*, and the eleventh day of *November*, in every year, when they are out of season, or spawning; may become very plentiful and common in the said fishery, as they were formerly, no person or persons whatsoever shall presume to fish for, or take and wilfully kill, hurt, or destroy any salmon, or salmon-kind fish within the said limits, at any time or times betwixt the said twenty fourth day of *August* and the said eleventh day of *November*, in any year, from and after the said tenth day of *June*; and that it shall and may be lawful for the said lord mayor, upon application to him by the said court of assistants, to order and direct any number of stakes to be driven and fixed in any place within the said river, betwixt the *London* mark stone above *Stains* bridge, and *London* bridge, as by him and them shall be thought most convenient for preserving the fry, spawn, and brood of fish, so as the same be no ways prejudicial to the navigation of the said river; and that no person or persons whatsoever shall presume, without lawful authority, to remove, loosen, or pluck up the same, on pain of being punished as herein after is mentioned.

No spawn,
&c. to be
killed, &c.

nor fish caught
out of season.

No salmon to
be taken be-
tween 24 Aug.
and 11 Nov.

The lord
mayor, &c.
may order
stakes to be
fixed in the
river, to pre-
serve the fry.

III. And to the intent the publick may be served with fish cheap, and at the first hand, and for a more speedy way to punish offenders, who daily regrave great quantities of unfizable and unseasonable, as also other fish, in and at the market of *Billinggate*; be it therefore enacted by the authority aforesaid, That no fish shall be sold more than once within the said market, or within one hundred and fifty yards of *Billinggate* dock, to which all sorts of fish are usually imported; nor shall any person or persons, other than free fishmongers, in their houses and shops, situate and being within the distance of the said one hundred and fifty yards of the said dock, and not in the market of *Billinggate* aforesaid, and other than fishermen, or the first importers of, or persons bringing up such fish to the said market, their wives, apprentices, factors, or servants, for the time being, actually hired for that purpose, presume to sell, or expose to sale, any manner of fish whatsoever in or at the said market, or within one hundred and fifty yards of the said dock, after the said tenth day of *June*, on pain of being punished as herein after is mentioned.

No fish shall
be sold more
than once
within Bil-
linggate mar-
ket, &c. and
none to sell
fish in the
said market,
except free
fishmongers,
fishermen, &c.

The court of
assistants to
pay 30l. per
annum to the
water bailiff.

IV. And be it enacted by the authority aforesaid, That the said court of assistants shall yearly and every year, by even and equal portions, on the feast days of *Easter* and *Michaelmas*, pay or cause to be paid unto the said water bailiff, or his assigns, the sum of thirty pounds, free from all taxes and other incumbrances, in lieu and satisfaction of such ancient fees as were due to him, and which will be diminished or taken away, by virtue of this act, except the granting licences for taking fish in their several seasons, according to custom, the benefit whereof is hereby intended to be continued and saved unto the said water bailiff for the time being, over and above the said sum of thirty pounds *per annum*.

No fish to be
sold in the said
market, &c.
before 3 in the
morning from
Lady Day to
Michaelmas,
and five from
Michaelmas
to *Lady Day*.

V. And for the further preventing forestalling, regrating, and engrossing fish, at unreasonable hours, in the market of *Billinggate*; be it further enacted by the authority aforesaid, That no fish whatsoever shall be sold or exposed to sale, on board or on shore, (within the limits of the said market, or within one hundred and fifty yards of the said dock, as aforesaid) by any person or persons whatsoever, before the hours of three a clock in the morning from *Lady Day* to *Michaelmas*, and before the hours of five a clock in the morning from *Michaelmas* to *Lady Day*, and so annually; and that the proper officer doing the bell appointed for that purpose, at the time and place aforesaid, under the penalties to be inflicted by this act.

The lord
mayor, &c.
shall have
power to de-
termine com-
plaints,

VI. And be it further enacted by the authority aforesaid, That the lord mayor and aldermen of the city of *London*, or any one of them, for all offences committed within the jurisdiction of the said lord mayor, as conservator of the said river of *Thames*, and the justices of the peace of the respective counties, or any one of them, for all offences committed in the said limits, and out of the jurisdiction of the said conservator, shall have full power, upon view, or upon complaint made to them, or any one of them, to examine, hear, and determine, by the oath of any person, or by confession of the party offending, all complaints and offences committed against the intent of this act, and upon conviction of such offender, to impose a fine upon him or her, proportionable to the offence so committed, not exceeding the sum of ten pounds, nor less than the sum of five shillings, to be levied by distress, or otherwise, on such offender's goods and chattels, at the discretion of the said lord mayor, aldermen, or justices, or any one of them, unless such offender shall immediately pay such fine, or give good and sufficient security to such magistrate or magistrates before whom he or she shall be so convicted, to stand to and abide such order as shall be made by the court of conservancy, held by the said lord mayor, as conservator, as aforesaid, upon such conviction as shall be made by the said lord mayor and aldermen, or any one of them, or at the general quarter sessions, by the justices of the peace holding the same, upon any such conviction made before them, or any one of them, in case the offender shall think fit to appeal to the said court of conservancy, or to the said

and impose a
fine on of-
fenders, not
above 10l. nor
less than 5s.
to be levied by
distress, unless
paid immedi-
ately,

or security
given to abide
the order of
the said court
of conser-
vancy, &c.

quarter

quarter sessions; and in case no distress or distresses can be found, the offender or offenders shall be sent to the house of correction, there to remain without bail or mainprize, and to be kept to hard labour, for any time not exceeding two months; and that all and singular the forfeitures and penalties arising by this present act, for any offences contrary thereunto, committed within the jurisdiction of the said conservator, shall, from time to time, be paid, the one moiety to the informer, the other moiety unto the said lord mayor, as conservator of the said river of *Thames*; and that all the forfeitures and penalties arising by this present act, for any offences contrary thereunto, committed out of the jurisdiction of the said conservator, shall, from time to time, be paid, the one moiety to the poor of the parish where such offence shall be committed, and the other moiety to such person who shall prosecute the said offender.

If no distress, the offender to be sent to the house of correction for two months.

How the forfeitures shall be applied.

VII. Saving always to the Queen's most excellent majesty, her heirs and successors, and all bodies politick or corporate, and to the high court of admiralty, and the court of conservancy, and all other courts and persons, all fines, forfeitures, penalties, amerciaments, and wreck of sea, which of right have been reserved, and become due and payable to the said courts and persons respectively, for and in respect of the said fishery or drudging, or otherwise, and all rights, titles, estates, jurisdictions, privileges, franchises, or demands whatsoever, in as full and ample manner as the same were or have been before the making of this act.

Saving to the crown, &c. all fines, forfeitures, &c.

VIII. Provided always, and be it enacted by the authority aforesaid, That this act, or any thing herein contained, shall not extend, or be construed to extend, to prejudice or derogate from the rights, privileges, or authorities of the city of *London*, exercised by the lord mayor of the said city for the time being, as conservator of the said river of *Thames* and waters of *Medway*, or elsewhere, or any of the rights of the admiralties or vice-admiralties of *Kent* or *Essex*, or the piscaries or fishings belonging or appertaining to the said city of *London*, or any other city or town corporate, or any lords of manors, proprietors, owners, or occupiers of any rivers, creeks, streams, or fisheries, adjacent to, or within any part of the said limits, or to the rights of any other person or persons within the limits aforesaid.

This act shall not prejudice the rights, &c. of *London*,

nor of the admiralties of *Kent* or *Essex*, &c. nor of any lords of manors, &c.

IX. Provided always, That nothing in this act contained shall extend, or be construed to extend, to any fishermen or drudgermen, who now do, or shall hereafter inhabit or dwell in any of the cinque ports, or their members, or in the city of *Rocheſter*, or towns or places of *Strood*, *Chatham*, *Finsbury*, *Gillingham*, *Milton*, *Queenborough*, *Faversham*, *Whitſtple*, or the places adjacent; but that such fishermen and drudgermen shall and may use and exercise their trades of fishing and drudging, and selling, in as full and ample a manner as they have heretofore lawfully done, to all intents and purposes as if this act had never been made.

Nor shall it extend to fishermen who dwell in the Cinque Ports, *Rocheſter*, &c.

It shall be taken as a publick act; and if an action, &c. be brought, the defendant may plead the general issue, &c. and shall recover full costs.

X. And be it further enacted by the authority aforesaid, That this act shall be deemed and taken to be, and is hereby declared to be a publick act of parliament, of which all judges, justices, and other persons are to take notice; and in case any action, bill, plaint, suit, or information shall be commenced or prosecuted against any person or persons for what he or they shall do in pursuance, or by virtue of this act, such person or persons shall and may plead the general issue, and give this act, and the special matter in evidence; and the defendant or defendants shall, in case the plaintiff be nonsuited, or discontinue his action, or that a judgment upon a demurrer, or a verdict pass against the plaintiff, recover his or their full costs of suit, for which the said defendant or defendants shall have the like remedy as in such cases where costs by the laws of this realm are given to defendants.

Saving to Margaret Cage her annuity for life.

XI. Saving also unto *Margaret Cage*, widow, her executors, administrators, and assigns, out of all monies arising to the said company by this act, and the other profits and income of the said company, one annuity granted unto her, under the common seal of the said company, for her life, and all arrears thereof, with interest.

CAP. XXVII.

An act for the encouragement of the trade to America.

6 Annæ, c. 37.

WHEREAS by an act of parliament made in the sixth year of her Majesty's reign, intituled, An act for the encouragement of the trade to America; it is, among other things, enacted, That the flag-officers, commanders, and other officers and seamen of any ship or vessel of war in her Majesty's pay or service, and the owner or owners of any private ship of war, authorized and appointed by commission or commissions according to the said act, during the present war, to attack, surprize, seize, and take any ship, or other private ship or ships of war, or vessels, goods, ammunition, arms, stores of war, or merchandizes, belonging to, or possessed by any of her Majesty's enemies, in any sea, creek, haven, or river in America, (except as therein is excepted) shall have the sole interest and property of and in all and every such ship, vessel, goods, and merchandizes, being first adjudged lawful prize, in any of her Majesty's courts of admiralty, and subject to the customs and duties payable to her Majesty, as if the same had been first imported to any part of Great Britain, and from thence exported, for and in respect of all such goods and merchandizes, to be divided and disposed of as in the said act is directed; in pursuance of which act several bonds and other securities have been given for the payment of such customs and duties for prize goods and merchandizes taken in America, and adjudged to be lawful prize; but by experience it is found that the subjecting such prize goods and merchandizes taken in America, to such customs and duties, as if the same had been imported into any part of Great Britain, and from thence exported, hath been very prejudicial to her Majesty's plantations and colonies, and hath, in a great measure, prevented

vented the importation thereof into those plantations and colonies; be it therefore enacted, &c.

After 1 June, 1711, all prize goods, &c. taken in America, shall be liable to duties. See 10 ANNÆ, c. 22.

II. *And whereas several bonds and other securities have been obtained at Jamaica, for the payment of duties chargeable by virtue of the said clause in the act of the sixth year of her Majesty's reign, upon cocoa, sugars, indico, snuff, tobacco, piemento, and other commodities of the growth of America, which are usually afterwards imported into this kingdom, and pay the full duties here; and also for wines and brandies which are seldom sent from Great Britain, which may reasonably be discharged of the said British duties, because the said several commodities are, upon their importation into Jamaica, liable to pay large customs towards the support of that government; be it therefore, &c.*

All bonds, &c. at Jamaica, to which captors are liable for duties on cocoa, sugar, &c. shall not be prosecuted till the end of the next sessions of parliament. The tenor, &c. of the said bonds, &c. to be certified to the commissioners of the customs in England, who shall make report thereof to the commons in next parliament. All prize goods imported into Great Britain, made liable to the same duties as if they had not been prize.

C A P. XXVIII.

An act to dissolve the present, and prevent the future combination of coal-owners, lightermen, masters of ships, and others, to advance the price of coals, in prejudice of the navigation, trade, and manufactures of this kingdom, and for the further encouragement of the coal-trade.

WHEREAS the cities of London and Westminster, and other places, are chiefly supplied with coals brought by sea from the counties of Durham, Northumberland, and town and county of Newcastle upon Tyne, and the buying the same at cheap and reasonable prices, tends greatly to the improvement of the manufactures and increase of the trade and navigation of this kingdom, by breeding and employing many thousands of skilful mariners for the service of her Majesty, and defence of the realm, and to the relief of the poor; and for that end, and for the better advancing of the duties upon coals granted to her Majesty for the carrying on the present war against the common enemy, it is necessary the same should not be monopolized, but that the coal trade should be free and open, and that all prejudices, hindrances, and obstructions, that may any ways affect the said trade, should be removed, prevented, and hindered; be it therefore enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in parliament assembled, and by the authority of the same, That all and every contract or contracts, covenants or agreements, whether the same be in writing or not in writing, and whether heretofore made or entered into, or hereafter to be made or entered into, by or between any coal-owners, lightermen, fitters, masters, Contracts between coal-owners, &c. for engrolling coals, &c. illegal.

Penalty on
coal owners,
&c. after 1
June, 1711,
keeping up
such con-
tracts, &c.

masters, or owners of ships or vessels, crimps, coal factors, or other person or persons whatsoever concerned, in the said coal trade, for engrossing coals, or for restraining or hindring any person or persons whomsoever from freely selling, buying, loading or unloading, navigating or disposing of coals, in such manner as they lawfully may, shall be, and are hereby declared to be illegal, null, and void, to all intents and purposes: And further, that if any coal owners, lightermen, fitters, masters, or owners of ships or vessels, crimps, coal factors, or any other person or persons whatsoever, shall, at any time or times, from and after the first day of *June*, one thousand seven hundred and eleven, keep up, continue, act in, make, enter into, sign, seal, or be knowingly interested or concerned in any contract or contracts, covenants or agreements, before by this act declared to be illegal, null, and void, or shall erect or keep up any office or offices, chamber or chambers, or other place or places for the management of such contract or contracts, covenants or agreements, as party or parties to, or knowingly interested in the same, or shall any ways act or officiate therein, as officer, clerk, agent, or servant to or for the persons so contracting, agreeing, or acting, contrary to the true intent and meaning of this act, the person or persons so offending shall, for every such offence, forfeit and pay as follows; that is to say, every coal owner or owners, or proprietor of or in any pit or mine, pits or mines of coal, the sum of one hundred pounds; and every fitter, whether acting by himself, his agent or servant, the sum of fifty pounds; and every master or owner of any ship or vessel, the sum of twenty pounds; and every officer, clerk, agent, or servant, as aforesaid, the sum of twenty pounds.

Fitters certi-
ficates to the
ship master,

II. And for the further encouragement of the said coal trade, and for preventing of frauds and abuses therein; be it further enacted by the authority aforesaid, That every fitter or other person, vending or delivering coals, or some or one of them, shall give a full, true, and ample certificate or certificates to each and every ship master every voyage, signed by his or their hand writing, containing the day of the month, and year of such loading, the masters and ships names, and the exact quantity, and the usual names of the several and respective collieries out of which the said coals are and shall be wrought and gotten, and the price paid by the master or masters for each and every sort of coals that each and every fitter or other person, vending or delivering coals, as aforesaid, his or their agent or servant, hath sold and loaded on board each and every ship or vessel; which said certificate or certificates shall, upon the arrival of the said ship at the port of *London*, or any other delivering port, be registred, if delivered in the port of *London*, at the cocquet office, always kept and appointed by the lord mayor of *London*, for the time being; and if delivered in any other delivering port, then at the custom-house, with the keeper of the cocquets there, for registring whereof no more than six pence shall be paid; to which said register any person or persons shall and may

to be registred
at the cocquet
office in Lon-
don, or with
the keepers of
cocquets in
other ports.
Refusing to

may have recourse to see and examine without fee or reward : give certificate, &c.
 and in case any person or persons omit or refuse to give such certificate, &c.
 certificate or certificates, as aforesaid, or shall give or make any
 false certificate or certificates, or any master or masters of any
 ship or vessel shall knowingly give in any false certificate or cer-
 tificates to be registred, or shall not, within forty eight hours
 after entry of his ship at the custom-house of London, or other
 delivering port, give in his or their certificate or certificates to
 be registred in manner aforesaid; or if the person or persons or not regi-
 who ought to register, file, or enter such certificate or certifi- string, &c. for-
 cates, or his or their clerk or deputy, officiating in such office feits 10 l.
 or offices, shall neglect to register the same for the space of four
 and twenty hours after the delivering such certificate or certifi-
 cates into such office or offices, or shall make a false entry of such
 certificate or certificates, or refuse to shew and produce such
 certificate and certificates, and register thereof, to any person or
 persons, coming at the usual office-hours to see and inspect the
 same; every person so offending shall, for every such offence,
 forfeit and pay the sum of ten pounds.

III. *And whereas several lightermen, masters of ships, crimps, coal factors, or other persons dealing or being concerned in the coal trade, in the port of London, or other ports, have received salaries, gratuities, rewards, or sums of money, either by the year or chalders, or otherwise, from the coal owners, fitters, or masters of ships, in the port of London, or elsewhere, to the discouragement of the said coal trade; for remedy whereof, be it further enacted by the authority aforesaid, That if any lighterman or lightermen, Lightermen, master or masters of ships, crimp, coal factor, or other person &c. receiving or persons, buying or selling, or dealing in coals, or otherwise salaries from coal owners, concerned in the coal trade, by him or themselves, his or their &c. forfeit agent or servant, or any other person or persons, shall, at any sol. time or times, from and after the first day of June aforesaid, receive or take, for the use or benefit of such lighterman or lighter- Five hundred men, master or masters of ships, crimp, coal factor, or other pounds are for- person or persons, any salary, gratuity, reward, allowance, sum sailed, over or sums of money, from any coal owner, fitter, master of ships, and above the or other person or persons whatsoever, for contracting, buying, penalty hereby vending, selling, or disposing of any particular sorts of coals, in insisted. 3 Geo. 2. c. 26. preference of any other sorts of coals, or for the loading of any 1. 4. ship or vessel, or for the dispatch, delivery, or disposal of the coals from on board of any ship or ships, or vessels, before other ship or ships, or vessels, or shall knowingly sell one sort of coals for and as a sort which they really are not; every person offend- ing, shall, for every such offence, forfeit and pay the sum of fifty pounds.*

IV. And for the better discovery of all or any the offences Offender dis- in this act mentioned; be it enacted by the authority aforesaid, covering, in- That any person that shall be guilty of any the said offences, and demnified, and shall, within three months after the offence committed, make rewarded.
 discovery of any coal owner or owners, or proprietor of any coal pit or pits, or of any fitter, their officer, clerk, agent or servant,

or of any master or owner of any ship or vessel, or of any lighter-man, crimp, coal factor, or other person concerned in the coal trade, so as he or they shall be convicted of any of the said offences, such discoverer shall be discharged of and from the penalties and forfeitures for such offences, and shall receive the same benefit and advantage as any other person or persons shall be entitled unto, by virtue of this act, for such discovery or information.

Above fifty
coal ships,
continuing in
port 7 days,
masters forfeit
50 l. each.

V. And be it further enacted, That if any number of ships, being loaden with coals, and bound for the port of *London*, or any other port where the said coals shall be delivered, exceeding fifty in the whole, shall, after they are loaden, continue in the port of *Newcastle*, or in any port or place between *Newcastle* and *London*, above the space of seven days, unless they shall be unloaden in such port or place, or prevented by wind and weather, or for want of necessary repairs, convoy, or some other unavoidable cause, every master of every ship, so continuing, shall, for every such offence, forfeit and pay the sum of fifty pounds.

Ship master,
paying over
sea duties for
coals, to have
coast bond
discharged.

VI. And whereas the exporting coals to parts beyond the seas, in British ships, tends very much to the improvement and increase of the British Navigation: to the end therefore that all reasonable encouragement may be given to such exportation; be it further enacted by the authority aforesaid, That any ship master, whose ship is loaden with coals only, and has entred into bond to deliver the said coals in some port of *Great Britain*, may, upon producing his coast cocquet, and making oath of the true quantity of coals aboard his ship (such quantity not being less than is expressed in the said cocquet) before the proper officer of the customs, in any port of *Great Britain*, pay the custom or over-sea duty for such coals, and shall, on such payment, receive a certificate, signed and sealed by the customer and comptroller of such port, for such duty so paid; which certificate, being given into the custom house of the port where such coals were laid on board, shall discharge the coast bond given by such ship master, in the same manner as if the said coals had been landed in some port of *Great Britain*.

VII. And whereas several persons acting as crimps, husbands, agents, or factors for masters of ships importing coals into the port of *London*, under colour of such their employments, do often fraudulently vend the coals intrusted to them by the said ship masters, as aforesaid, to their own agents, partners, servants, or other persons, for their own use and benefit, and at rates below the market price, and when so sold do again greatly advance the rates thereof, to the prejudice and discouragement of the said ship masters, and great oppression and hindrance of the manufacturers, and other consumers of coals, for remedy whereof, and preventing the like mischief for the future; be it further enacted by the authority aforesaid, That if any person or persons, acting as crimp, husband, agent, or factor for any ship master importing coals into the said port of *London*, shall, from and after the said first day of *June*, vend or sell to his or their own agents, partners, or servants, or to any other person

~~Ships, &c.~~
vending coals
to their own
agents, in
trust for

person or persons whomsoever, in trust for him or them, or for themselves, his or their own use or benefit, the coals, or any part thereof ^{forfeit 50 l.} if trusted by any ship master to him or them so to be sold, as aforesaid, every person so offending shall, for every such offence, forfeit and pay the sum of fifty pounds.

VIII. And for preventing the great abuses to her Majesty in ^{Fitters, &c.} her customs and revenue, by the secret practices between the ^{laying coals} fitter, or person laying coals on board the ships, and the ship ^{aboard keels} masters, by laying the said coals on board in keels and vessels ^{not gauged,} not admeasured, gauged, and marked, according to law; be it therefore enacted by the authority aforesaid, That every fitter, or other person laying, loading, or putting coals on board any ship, or other vessel, in the port of *Newcastle upon Tyne, Sunderland* upon the river *Ware, Cullecoats, Seaton, Sluice, Blythe Nooke,* or any other the members, havens, creeks and places whatsoever, to the said port of *Newcastle* belonging, or in any wise appertaining, by or in any keel, cart, wain, or other vessel, not admeasured, gauged, and marked, according to the law in that case made and provided, shall forfeit and pay for every such offence the sum of ten pounds.

IX. And for the better carrying on of the said coal trade; be it enacted by the authority aforesaid, That no coal owner of any ^{Colliers not to employ other mens servants.} collieries or coal mines, within the counties of *Northumberland, Durham,* or town and county of *Newcastle upon Tyne,* or his or their overman or overmen, staithman, fitter, or agent, shall knowingly employ or set at work any overman, under-overman, pitman, sinker, carriage man, waggon driver, skipper, keelman, labourer, wright, or other person or persons, who are or shall be retained, hired, or agreed with, and actually employed in the said coal trade by any other coal owner (of any collieries or coal mines, lying or being within the counties aforesaid, or any of them) or his or their overman, staithman, fitter, or agent, during the time he shall be employed under such retainer, hiring, or agreement, and his wages duly paid, or knowingly keep or employ such person or persons, upon pain and penalty, for every six days he or they shall keep or employ such person or persons, to forfeit and pay for every such offence the sum of five pounds.

X. Provided, That any persons who shall be retained, hired, or agreed with, as aforesaid, and shall not be paid their wages ^{Unless wages not paid in} within fourteen days after the same shall become due, may be ^{14 days.} hired and employed by any other person or persons whatsoever.

XI. And be it enacted by the authority aforesaid, That all ^{Penalties how to be distributed, &c.} and singular the penalties and forfeitures in this act mentioned shall be, one moiety to her Majesty, her heirs and successors, and the other moiety thereof to him or them that shall sue for the same within the space of three months next after the offence shall be committed, to be recovered with full costs of suit by action of debt, bill, plaint, or information, in any of her Majesty's courts of record at *Westminster*, wherein no essoin, protection,

tection, or wager at law, shall be allowed, or more than one imparlance given.

Act to continue 3 years, &c.

XII, Provided always, and be it enacted by the authority foresaid, That this act shall continue and be in force for three years, and from thence to the end of the next session of parliament, and no longer. *Made perpetual by 1 Geo. 1. stat. 2. c. 26.*

CAP. XXIX.

An act for raising the militia for the year one thousand seven hundred and eleven, although the month's pay formerly advanced, be not repaid.
EXP.

CAP. XXX.

An act for reviving and continuing an act made in the first year of her Majesty's reign, for the more effectual preventing abuses and frauds of persons employed in the working up the woollen, linen, fustian, cotton, and iron manufactures of this kingdom.

1 Annæ, stat. 2. c. 18.

WHEREAS an act of parliament was made in the first year of her Majesty's reign, intituled, An act for the more effectual preventing the abuses and frauds of persons employed in the working up the woollen, linen, fustian, cotton, and iron manufactures of this kingdom, to continue for the space of three years, to commence from the twenty fourth day of June, one thousand seven hundred and three, and from thence to the end of the next session of parliament, and no longer: and whereas the said act is expired, but while in being, was found of good use, for preventing abuses and frauds of persons employed in making of the said manufactures; be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said act made in the said first year of her now Majesty's reign, and every article and clause therein contained, shall be revived, and be in full force, from the first day of May, which shall be in the year of our Lord, one thousand seven hundred and eleven, and from thence be continued and made perpetual.

Anno Regni ANNÆ Reginae decimo.

AT the parliament begun and holden at Westminster the twenty fifth day of November, Anno Dom. 1710, in the ninth year of the reign of our sovereign lady Anne, by the grace of God, of Great Britain, France, and Ireland, Queen, defender of the faith, &c. being the first session of this present parliament. And from thence continued by several prorogations, to the seventh day of December, 1711. * being the second session of this present parliament.

From the second is added, and further continued by adjournments till

the eighth day of July, in the eleventh year of her Majesty's reign.

CAP.

CAP. I.

An act for granting an aid to her Majesty, to be raised by a land tax in Great Britain, for the service of the year one thousand seven hundred and twelve. E X P. 4s. in the pound.

CAP. II.

An act for preserving the protestant religion, by better securing the church of England, as by law established; and for confirming the toleration granted to protestant dissenters by an act, intituled, An act for exempting their Majesties protestant subjects, dissenting from the church of England, from the penalties of certain laws, and for supplying the defects thereof; and for the further securing the protestant succession, by requiring the practicers of the law in North Britain to take the oaths, and subscribe the declaration therein mentioned.

WHEREAS an act was made in the thirteenth year of the reign of the late King Charles the Second, intituled, An act for the well governing and regulating of corporations; and another act was made in the five and twentieth year of the reign of the said late King Charles the Second, intituled, An act for the preventing dangers which may happen from popish recusants; both which acts were made for the security of the church of England, as by law established: now for the better securing the said church, and quieting the minds of her Majesty's protestant subjects dissenting from the church of England, and rendering them secure in the exercise of their religious worship, as also for the further strengthening the provision already made for the security of the succession to the crown in the house of Hanover; be it enacted, &c.

After 25 March, 1712. If any officer, civil or military, &c. who receives any salary, &c. or if any magistrate of a corporation, &c. who by the acts made to the of 13 & 25 Car. 2. are obliged to receive the sacrament, shall after their seventh session, admission into their office, and during their office, and during their continuance in it, be present at any conventicle, &c. such person shall forfeit 40 l. to be recovered by the prosecutor. Every person so convicted, shall be disabled to hold his office, &c. and incapable of any employment in England, &c. Person, after conviction, conforming to the church of England, for one year, &c. shall be capable of the grant of any office. Every such person to make oath the next term after admission into any office, or at the quarter session, &c. that he hath conformed, &c. Oath to be made of the offence within 10 days, and prosecution within 3 months, &c. This act shall not vacate any office of inheritance, so as a sufficient deputy be appointed to execute it.

VII, And it is hereby further enacted and declared by the authority aforesaid, That the toleration granted to the protestant dissenters, by the act made in the first year of the reign of King William and Queen Mary, intituled, *An act for exempting their Majesties protestant subjects, dissenting from the church of England, from the penalties of certain laws, shall be, and is hereby ratified and confirmed, and that the same act shall at all times be inviolably observed, for the exempting of such protestant*

The toleration granted to protestant dissenters by 1 W. & M. 1. c. 18. confirmed.

stant dissenters as are thereby intended, from the pains and penalties therein mentioned.

If any dissenter, (not in holy orders, &c.) who would have been entitled to the benefit of that act, if he had taken the oaths, &c. shall be prosecuted upon any penal statute, &c. shall during such prosecution take the oaths, &c. or being a Quaker shall make the declaration, &c. he shall be entitled to the benefit of the said act.

VIII. *And for the rendering the said last mentioned act more effectual, according to the true intent and meaning thereof;* be it further enacted and declared by the authority aforesaid, That if any person dissenting from the church of England, (not in holy orders, or pretended holy orders, or pretending to holy orders, nor any preacher or teacher of any congregation) who should have been entitled to the benefit of the said last-mentioned act, if such person had duly taken, made, and subscribed the oaths and declaration, or otherwise qualified him or herself, as required by the said act, and now is or shall be prosecuted upon or by virtue of any of the penal statutes, from which protestant dissenters are exempted by the said act, shall at any time during such prosecution, take, make, and subscribe the said oaths and declaration, or being of the people called *Quakers*, shall make, and subscribe the aforesaid declaration, and also the declaration of fidelity, and subscribe the profession of their christian belief, according to the said act, or before any two of her Majesty's justices of the peace (who are hereby required to take and return the same to the next quarter sessions of the peace, to be there recorded) such person shall be, and is hereby entitled to the benefit of the said act, as fully and effectually as if such person had duly qualified himself within the time prescribed by the said act, and shall be thenceforth exempted and discharged from all the penalties and forfeitures incurred by force of any the aforesaid penal statutes.

A dissenting teacher, qualified according to the said act, may officiate in any other county than where he was qualified. Such teacher to produce a certificate, &c. of his having qualified himself, &c. and shall if required make the declaration, &c.

IX. *And whereas it is or may be doubted whether a preacher or teacher of any congregation of dissenting protestants, duly in all respects qualified according to the said act, be allowed, by virtue of the said act, to officiate in any congregation in any county, other than that in which he so qualified himself, although in a congregation or place of meeting duly certified and registred as is required by the said act;* be it declared and enacted by the authority aforesaid, That any such preacher or teacher, so duly qualified according to the said act shall be and is hereby allowed to officiate in any congregation, although the same be not in the county wherein he was so qualified; provided that the said congregation, or place of meeting hath been before such officiating, duly certified and registred or recorded according to the said act: and such preacher or teacher, shall, if required, produce a certificate of his having so qualified himself, under the hand of the clerk of the peace for the county or place where he so qualified himself, which certificate such clerk of the peace is hereby required to make; and shall also before any justice of the peace of such county or place where he shall so officiate, make, and subscribe such declaration, and take such oaths as are mentioned in the said act, if thereunto required.

All advocates, not being of the law, shall take the oath appointed by

X. And be it further enacted by the authority aforesaid, That on or before the fifteenth day of June next, all advocates, writers to the signet, notaries publick, and other members of the college of justice, within that part of her Majesty's kingdom of
Great

Great Britain called Scotland, shall be and are hereby obliged to take and subscribe the oath appointed by the act of the sixth year of her Majesty's reign, intituled, *An act for the better security of her Majesty's person and government*, before the lords of session of the aforesaid part of her Majesty's kingdom; except such of the said persons who have already taken the same: and if any of the persons aforesaid do or shall neglect or refuse to take and subscribe the said oath, as aforesaid, such person shall be *ipso facto* adjudged incapable, and disabled in law to have, enjoy, or exercise in any manner his said employment or practice.

6 ANNÆ, C. 14.

Further provisions relating hereto,

10 ANNÆ, C. 32.

f. 2.

Refusing, &c. shall be judged incapable to exercise his employment.

XI. And be it further enacted by the authority aforesaid, That in all time coming, no person or persons shall be admitted to the employment of advocate, writer to the signet, notary publick, or any office belonging to the said college of justice, until he or they have taken and subscribed the aforesaid oath, in manner as is above directed.

None shall be admitted to the employment of advocate, &c. till he hath taken the said oath.

C A P. III.

An act for charging and continuing the duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and twelve: and for applying part of the coinage duties to pay the deficiency of the value of plate coined; and to pay for the recoining the old money in Scotland. E X P.

C A P.

An act for settling the precedence of the most excellent princess Sophia, electress and dutchess dowager of Hanover, of the elector her son, and of the electoral prince the duke of Cambridge.

WHEREAS by the laws and statutes of this realm, the imperial crown and dignity of the kingdoms of Great Britain, France, and Ireland, and the dominions thereunto belonging, after the demise and death of your Majesty, our most gracious Sovereign, whom God long preserve in health and prosperity, for the happiness and good of your subjects, and in default of issue of your Majesty's body, is limited to the most excellent princess Sophia, electress and dutchess dowager of Hanover, grand-daughter of the late King James the First, and the heirs of her body, being protestants; and your Majesty having, out of your great affection and regard to the said most excellent princess Sophia, electress and dutchess dowager of Hanover, and the heirs of her body, being protestants, signified your royal pleasure to the lords spiritual and temporal in parliament assembled, to have their precedence settled by act of parliament, in manner as herein after is mentioned: we your Majesty's most dutiful and loyal subjects, the lords spiritual and temporal, and commons, in parliament assembled, do most humbly beseech your Majesty, that it may be enacted; and therefore be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That after the royal issue of your Majesty's body, the said most excellent princess Sophia, electress and dutchess dowager of Hanover, the

After the issue most of the Queen's

body, the princeſs Sophia, the elector of Brunſwick, the electoral prince, and the heirs of the body of the princeſs Sophia, being proteſtants, to have precedence before the archbiſhop of Canterbury, &c.

moſt ſerene elector of *Brunſwick Lunenburg*, her ſon and heir apparent, the moſt noble *George Auguſtus*, electoral prince of *Hanover*, and duke of *Cambridge*, only ſon of the ſaid moſt ſerene elector, and alſo the heirs of the body of the ſaid moſt excellent princeſs *Sophia*, electreſs and dutcheſs dowager of *Hanover*, being proteſtants, in all places, and upon all occaſions, ſhall have rank and precedence, and take place, before the archbiſhop of *Canterbury*, and all great officers, and the dukes, and all other peers of theſe realms; any law, ſtatute, or cuſtom whatſoever to the contrary notwithstanding.

CAP. V.

An act to repeal the act of the ſeventh year of her Maſeſty's reign, intituled, An act for naturalizing foreign proteſtants (except what relates to the children of her Maſeſty's natural-born ſubjects born out of her Maſeſty's allegiance.)

7 Annæ, c. 5.

Repealed, except the children of natural-born ſubjects, born out of the Queen's allegiance. This repeal not to prejudice any perſons naturalized before
4 Feb. 1711.

WHEREAS an act of parliament was made and paſſed in the ſeventh year of her Maſeſty's reign, intituled, An act for naturalizing foreign proteſtants: and whereas divers miſchiefs and inconveniencies have been found by experience to follow from the ſame, to the diſcouragement of the natural-born ſubjects of this kingdom, and to the detriment of the trade and wealth thereof; be it therefore enacted by the Queen's moſt excellent maſeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That the before-mentioned act, and all the matters and things therein contained, (except ſo much of the ſaid act by which the children of all natural born ſubjects born out of the allegiance of her Maſeſty, her heirs and ſucceſſors, are to be deemed, adjudged, and taken to be natural-born ſubjects of this kingdom, (ſhall be, and is hereby repealed, annulled, and made void, to all intents and purpoſes whatſoever; provided nevertheless, That ſuch repeal ſhall not in any ſort prejudice or impeach the naturalization of any perſons who have been or ſhall be naturalized at any time before the fourth day of *February*, which ſhall be in the year of our Lord one thouſand ſeven hundred and eleven, purſuant to the directions of the before-mentioned act. 4 Geo 2. c. 21.

CAP. VI.

An act for explaining and altering the laws now in being concerning the aſſiſes of fuel, ſo far as they relate to the aſſiſe of billet made or to be made of beech wood only.

WHEREAS the ſeveral laws appointing and directing the aſſiſe of fuel and billet have been taken to extend unto billets made of beech wood: and whereas the aſſiſe of billets made of beech wood neither have nor can, without very great loſs and damage, both to the owners of beech wood, and alſo the buyers and consumers of beech fuel and billet, be obſerved: and whereas ſeveral doubts have lately ariſen concerning the forfeiture of the ſaid beech billet not made according to the

the scantlings by the said laws directed or appointed for the assise of fuel and billet, by reason of some general words therein contained; be it therefore enacted and declared by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the laws appointing and directing the assise of fuel and billet, or any of them, or any thing therein, or in any of them contained, shall not nor do any wise extend, nor shall be construed to extend, unto billet made or to be made of beech wood.

The laws directing the assise of fuel, &c. not to extend to billet made of beech wood.

II. Provided nevertheless, That no person or persons whatsoever shall sell billet made of beech wood by retail, within the cities of London and Westminster, or either of them, or the weekly bills of mortality, unless the same be assised, cut, or marked, according to the usage and manner of marking of beech billet before the act passed the last session of parliament, intituled, *An act for making more effectual an act of the forty third year of the reign of Queen Elizabeth, intituled, An act concerning the assises of fuel, so far as it relates to the assise of billet, or by the weight of the said beech billet, if the buyers thereof shall require the same to be so weighed.*

Beech wood billet not to be sold by retail in London, &c. unless it be assised, &c.

9 Annæ, c. 15. or sold by weight.

C A P. VII.

An act to prevent the disturbing those of the episcopal communion in that part of Great Britain called Scotland, in the exercise of their religious worship, and in the use of the liturgy of the church of England; and for repealing the act passed in the parliament of Scotland, intituled, An act against irregular baptisms and marriages.

WHEREAS since the abolishing of episcopal government in Scotland, those of the episcopal persuasion there have been frequently disturbed and interrupted in their religious assemblies, and their ministers prosecuted for reading the English service in their congregations, and for administering the sacraments according to the form and manner prescribed in the liturgy of the church of England; be it therefore enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and the commons, in this present parliament assembled, and by the authority of the same, That it shall be free and lawful for all those of the episcopal communion in that part of Great Britain called Scotland, to meet and assemble for the exercise of divine worship, to be performed after their own manner by pastors ordained by a protestant bishop, and who are not established ministers of any church or parish, and to use in their congregations the liturgy of the church of England, if they think fit, without any let, hindrance, or disturbance from any person whatsoever; and all sheriffs of shires, stewards of stewartries, and magistrates of boroughs, and justices of the peace, are hereby strictly required to give all manner of protection, aid, and assistance to such episcopal ministers, and those of their own communion,

It shall be free for those of the episcopal communion in Scotland, to assemble for divine worship after their own manner, &c.

All sheriffs, &c. shall give their protection, &c. in their meet-

munion,

ings, except in
parish
churches.

munion, in their meetings and assemblies for the worship of God, held in any town or place, except parish churches, within the extent and jurisdiction of that part of Great Britain called Scotland.

None shall officiate, but such as have been ordained by a protestant bishop; nor till they have presented their letters of orders to the justices, &c. to be registred.
2 Geo. 2. c. 34.
s. 13.

II. Provided always, and be it enacted by the authority aforesaid, That none shall presume to exercise the function of a pastor in the said episcopal meetings and congregations, except such as shall have received holy orders from the hands of a protestant bishop; and that every person who shall be called or appointed to be a pastor or minister of any episcopal congregation or assembly, before he take upon him to officiate as pastor of the said congregation, be hereby obliged and required to present his letters of orders to the justices of peace, at their general or quarter sessions to be held for the shire, stewartry, city, town, or other place in which the said episcopal congregation is or shall be; and that the said letters of orders be there entred on record by the register or clerk of the said meeting of the justices, for which there shall be no greater fee or reward, taken than the sum of one shilling.

Ministers of the established church, and of the episcopal congregations to take the oaths, &c.
Further provisions relating hereto,
10 Annæ, c. 32.
6 Annæ, c. 14.

III. And be it further enacted by the authority aforesaid, That all ministers of the established church of Scotland, and all and every person and persons, who is or are pastor or pastors, minister or ministers of any episcopal congregation in Scotland, shall be obliged, and are hereby required, on or before the first day of August next, to come to take and subscribe the following oaths, in such manner, and under such penalties, as all officers, civil and military in Scotland are obliged to take the oath recited in the fourteenth act of the sixth year of her Majesty's reign, intituled, *An act for the better security of her Majesty's person and government*; and that all ministers of the established church of Scotland, hereafter to be admitted into their respective churches or benefices, and all and every person and persons, who shall hereafter be pastor or pastors, minister or ministers of any episcopal congregation, shall before such admission or exercise of their respective functions, be obliged to take and subscribe likewise the following oaths, in the same manner, and under the same penalties above-mentioned.

The oaths.

I A. B. do sincerely promise and swear, That I will be faithful, and bear true allegiance to her Majesty Queen Anne.

So help me God.

1 Geo. 1. c. 13.
2 Geo. 1. c. 29.
s. 3.

I A. B. do truly and sincerely acknowledge, profess, testify, and declare in my conscience, before God and the world, That our sovereign lady Queen Anne is lawful and rightful Queen of this realm, and of all other her Majesty's dominions and countries thereunto belonging; and I do solemnly and sincerely declare, That I do believe in my conscience, the person pretended to be prince of Wales, during the life of the late King James, and since his decease pretending to be, and taking upon himself the stile and title of King of England, by the name of James the Third, or of Scotland, by the name of James the Eighth,

Eightib, or the stile and title of King of Great Britain, hath not any right or title whatsoever to the crown of this realm, or any other the dominions therunto belonging; and I do renounce, refuse, and abjure any allegiance or obedience to him. And I do swear, That I will bear faith and true allegiance to her Majesty Queen Anne, and her will defend, to the utmost of my power, against all traiterous conspiracies and attempts whatsoever, which shall be made against her person, crown, or dignity. And I will do my best endeavour to disclose and make known to her Majesty, and her successors, all treasons and traiterous conspiracies which I shall know to be against her, or any of them. And I do faithfully promise, to the uttermost of my power, to support, maintain, and defend the succession of the crown against him the said James, and all other persons whatsoever, as the same is and stands settled by an act, intituled, An act declaring the rights and liberties of the subjects, and settling the succession of the crown, to her present Majesty, and the heirs of her body being protestants; and as the same, by one other act, intituled, An act for the further limitation of the crown, and better securing the rights and liberties of the subject, is and stands settled and entailed, after the decease of her Majesty, and for default of issue of her Majesty, to the princess Sophia, electress and dutchess dowager of Hanover, and the heirs of her body, being protestants. And all these things I do plainly and sincerely acknowledge and swear, according to these express words by me spoken, and according to the plain and common sense and understanding of the same words, without any equivocation, mental evasion, or secret reservation whatsoever. And I do make this recognition, acknowledgment, abjuration, renunciation, and promise, heartily, willingly, and truly, upon the true faith of a christian.

W. & M.
sess. 2. c. 2.
12 & 13 W. 3.
c. 2.

So help me God.

IV. Provided always, That the assembly of persons for religious worship in the episcopal meetings, be held with doors not locked, barred, or bolted, during such assembly; and that nothing herein contained shall be construed to exempt any of the persons frequenting the said episcopal congregations from paying of tithes or other parochial duties to the church or minister of the parish to which they belong, and in which they reside.

Episcopal meetings to be held with doors not locked, &c. and persons frequenting them not exempted from tithes, &c.

V. And whereas since the establishment of the presbyterian government in Scotland, some laws have been made by the parliament in Scotland against the episcopal clergy of that part of the united kingdom, and particularly an act passed in the parliament held in the year one thousand six hundred ninety five, intituled, Act against irregular baptisms and marriages, by which all episcopal ministers, who were turned out of their churches, are prohibited to baptize any children, or to solemnize any marriage, upon pain of perpetual imprisonment or banishment; be it therefore enacted by the authority aforesaid, That the said act above-mentioned be hereby repealed and annulled; and that in all time coming no person or persons shall incur any disability, forfeiture, or penalty whatsoever, upon account of his or their resorting to the said episcopal meetings held for the worship of God; and that it shall be free and lawful for all the subjects

The act made in 1695 repealed; and none shall incur any penalty for resorting to episc.

episcopal meetings, &c. Episcopal ministers may preach, &c.

subjects in that part of *Great Britain* called *Scotland*, to assemble and meet together for divine service, without any disturbance, and to settle their congregations in what towns or places they shall think fit to chuse, except parish churches, and for the episcopal ministers, not only to pray and preach in the episcopal congregations, but to administer the sacraments, and marry, without incurring any pain or penalty whatsoever; any law or statute to the contrary notwithstanding.

Children christened by episcopal ministers, to be registered where the parents reside.

No episcopal minister shall marry any whose bans have not been published, &c. Ministers of churches obliged to publish the bans.

VI. Provided always, That the parents who have their children christened by episcopal ministers, be hereby obliged to enter the birth and christning of their children in the register books for christnings belonging to the respective parishes in which they live: and provided likewise, That no episcopal minister or ministers, residing within that part of the united kingdom called *Scotland*, presume to marry any persons, but those whose bans have been duly published three several Lord's days in the episcopal congregations which the two parties frequent, and in the churches to which they belong as parishioners, by virtue of their residence; and that upon the same pains and punishments as are already inflicted by the laws of *Scotland* in cases of clandestine marriages; and the ministers of the parish churches are hereby obliged to publish the said bans; and in case of neglect or refusal, it shall be sufficient to publish the said bans in any episcopal congregation alone; any law, statute, or custom to the contrary notwithstanding.

All laws against immorality, &c. shall be in force.

VII. Provided always, and it is the true intent and meaning of this act, That all the laws made against prophaneness and immorality, and for the frequenting of divine services on the Lord's day, commonly called *Sunday*, shall be still in force, and executed against all persons that offend against the said laws, or shall not resort either to some church, or to some congregation or assembly of religious worship allowed and permitted by this act.

This act shall not give any ease, &c. to papists, &c.

VIII. Provided likewise, That neither this act, nor any clause, article, or thing herein contained, shall extend, or be construed to extend to give any ease, benefit, or advantage to any papist or popish recusant whatsoever, or to any person that shall deny in his preaching or writing, the doctrine of the Blessed Trinity.

Punishment of such as shall disturb any congregation of religious worship;

IX. And be it further enacted by the authority aforesaid, That if any person or persons, at any time after the twenty-fifth day of *March* next to come, shall willingly, and of purpose, maliciously or contemptuously, come into any congregation or assembly of religious worship, permitted by this act, and disquiet or disturb the same, or give any disturbance to the said congregation at the doors or windows, or misuse any minister or pastor of such congregation, such person or persons, upon proof thereof before two justices of the peace, by two or more sufficient witnesses, shall find two sureties to be bound by recognizance in the penal sum of fifty pounds sterling, for his or their appearance at the next general or quarter sessions, or before the court of judicatory, or other judge or judges competent, and in default of such sureties shall be committed to prison, and upon conviction

of the said offence, at the said general or quarter sessions, or before the said court of justiciary, or other judge or judges competent, shall forfeit the sum of one hundred pounds sterling; one moiety thereof to the informer, the other to be disposed of for the use of the poor of the parish where such offence shall be committed; and if the magistrates of any town or place, or others pretending to have authority or jurisdiction any where in *Scotland*, shall, in contempt of this law, forbid or hinder those of the episcopal persuasion from meeting or assembling together for divine worship, in the places subject to their jurisdiction, or shall shut up, or cause to be shut up, the doors of the houses, or other places where such episcopal assemblies are held, or intended to be held, such magistrates and others so offending, upon proof thereof before the court of justiciary, by two or more sufficient witnesses, shall forfeit the sum of one hundred pounds sterling, to be distributed, as aforesaid.

and of magistrates hindering those of the episcopal congregations to meet, &c.

X. And be it further declared and enacted by the authority aforesaid, That no civil pain or forfeiture, or disability whatsoever, shall be in any ways incurred by any person or persons, by reason of any excommunication or prosecution in order to excommunication by the church judicatories in that part of *Great Britain* called *Scotland*; and all civil magistrates are hereby expressly prohibited and discharged to force or compel any person or persons to appear when summoned, or to give obedience to any such sentence when pronounced; any law or custom to the contrary notwithstanding.

No forfeiture, &c. shall be incurred by reason of any excommunication by the church judicatories, &c.

XI. And be it further enacted by the authority aforesaid, That every minister and preacher as well of the established church in that part of *Great Britain* called *Scotland*, as those of the episcopal communion protected and allowed by this act, shall, at some time during the exercise of the divine service in such respective church, congregation, or assembly, pray, in express words, for her most sacred Majesty *Queen Anne*, and the most excellent Princess *Sophia*, electress and dutchess dowager of *Hanover*, while living, and all the royal family: and every such minister or preacher neglecting so to do, shall for the first offence forfeit the sum of twenty pounds sterling, to be recovered and distributed in such manner as touching the other penalties in this act is herein before directed; and for the second offence every minister of the established church in that part of *Great Britain* called *Scotland*, being thereof convicted by the oaths of two sufficient witnesses before the lords of justiciary, shall be *ipso facto* deprived, and declared incapable of any church or ecclesiastical living, during the space of three years; and every episcopal minister allowed and protected by this act, being thereof in like manner convicted, shall from thenceforth forfeit and lose the benefit of this act, and be declared incapable of officiating as pastor of any episcopal congregation, during the space of three years.

All ministers, &c. to pray for the Queen, &c.

Forfeiture for first offence 20 l.

For the 2d every minister of the established church to be deprived, &c.

And every episcopal minister to lose the benefit of this act, &c.

Prosecution to be within two months after the offence.

XII. Provided always, That no minister or preacher offending herein, shall suffer such penalties, or either of them, unless he

be prosecuted for the same within the space of two months after the offence is committed.

CAP. VIII.

EXP.

An act to continue the act of the last session of parliament for taking, examining, and stating the publick accounts of the kingdom for one year longer.

CAP. IX.

EXP.

An act for recruiting her Majesty's land forces and marines, for the service of the year one thousand seven hundred and twelve.

CAP. X.

An act for punishing mutiny and desertion, and false musters, and for the better payment of the army and quarters.

Officers of the
army or navy
sued, may
plead the ge-
neral issue.

LXI. **A**ND be it further enacted by the authority aforesaid, That if any action, bill, plaint, or suit shall be brought against any person or persons, for any act, matter or thing to be acted or done, pursuant to this act, or against any officer or officers of her Majesty, her heirs or successors, concerned in any matter relating to the army, or her Majesty's naval forces, or ships of war, or the providing for the same, or any their deputy or deputies, or against any other person or persons acting by authority from, or in aid or assistance of or by their commandment, for or concerning any matter, cause or thing by them done by virtue or reason of their or any of their office or offices, that it shall and may be lawful to and for all and any person or persons aforesaid, to plead thereunto the general issue, that he or they are not guilty, and to give such special matter in evidence to the jury which shall try the issue, which special matter being pleaded had been a good and sufficient matter in law to have discharged the said defendant or defendants of the trespass or other matter laid to his or their charge: and if the verdict shall pass with the said defendant or defendants in any such action, or the plaintiff or plaintiffs therein become nonsuit, or suffer any discontinuance thereof, that in every such case the justice or justices, or such other judge, before whom the said matter shall be tried, shall, by force and virtue of this act, allow unto the defendant or defendants his or their double costs, which he or they shall have sustained by reason of their wrongful vexation in defence of the said action or suit, for which the said defendant or defendants shall have like remedy, as in other cases where costs by the laws of this realm are given to the defendants.

Double costs.

CAP. XI:

An act for enlarging the time given to the commissioners appointed by her Majesty, pursuant to an act for granting to her Majesty several duties on coals, for building fifty new churches in and about the cities of London and Westminster, and suburbs thereof, and other purposes therein mentioned; and also for giving the said commissioners farther powers for better effecting the same; and for appointing monies for rebuilding the parish church of St Mary Woolnoth in the city of London.

WHEREAS by an act of parliament in the ninth year of her Majesty's reign, intituled, *An act for granting to her Majesty several duties upon coals, for building fifty new churches in and about the cities of London and Westminster, and suburbs thereof, and other purposes therein mentioned, it is, amongst other things, enacted, That it should and might be lawful to and for her Majesty, by letters patent under the great seal of Great Britain, to nominate, constitute, and appoint such persons as her Majesty should think fit, to be commissioners to enquire and inform themselves in what parishes the said new churches (except one for Greenwich) were most necessary to be built; and of proper places for the sites of the said respective new churches; and also a cemetery or church yard for each of the said churches; also which of the said chapels within the said parishes are fit to be made parish churches; and that they should ascertain the several houses, lands, tenements, and hereditaments, and the bounds and limits which in their judgment or opinion might be fit to be made distinct parishes; and should also inform themselves, by the best means they could, of the value of the houses, lands, tenements, and hereditaments, and of the respective estates and interests therein, which the said commissioners should think necessary to be purchased for the said sites and cemeteries, and for houses for the habitations of the respective ministers; and that the said commissioners should, on or before the twenty-fourth day of December, one thousand seven hundred and eleven, report or certify to her Majesty in writing, under their hands and seals, such matters and things, as should appear to them upon their enquiries aforesaid, with their opinions thereupon, to the end such further directions might be given thereupon, as might be pursuant to her Majesty's pious intentions in the premisses; in pursuance whereof, her Majesty, by letters patent under the great seal of Great Britain, did nominate, constitute, and appoint, several commissioners for the purposes in the said act mentioned, with such powers and authorities as in the said recited act are expressed: and whereas the said commissioners did apply themselves to the execution of the powers therein mentioned, but could not perfect within the time limited, what was by the said act intended; which they humbly represented to her Majesty, under their hands and seals, on the eighteenth day of December last past: to the end therefore, that a work so much for the honour of God, the spiritual welfare of her Majesty's subjects, the interest of the established church, and the glory of her Majesty's reign, may be carried*

9 Ann. c. 22.

The commis-
sioners autho-
rized to meet,
tho' the time
limited, &c.
be expired

on and perfected; be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That notwithstanding the time limited by the said letters patent is expired, it shall and may be lawful to and for the said commissioners, so appointed by the said letters patent, or any five or more of them, and they are hereby authorized and required to meet, from time to time, as often as there shall be occasion, either with or without adjournments, and to enquire and inform themselves of all and every the matters and things therein committed to them, or any five or more of them, and do and perform all and every the matters and things in or by the said former or this present act intended to be by them performed, until they shall have compleated and finished the same.

The commis-
sioners may
contract for,
and purchase
lands, &c.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said commissioners, or any five or more of them, and they are hereby authorized and impowered to contract, agree for, and purchase all such messuages, lands, tenements, hereditaments, rights, and interests, as they shall think proper for the said new churches, church-yards, or cemeteries for the burial of the dead, and for houses for habitations of the respective ministers of the respective new parish churches, intended to be erected or made.

The lands so
purchased shall
be conveyed
to the com-
missioners, &c.
who shall
cause the
churches to be
built, &c.

III. And it is hereby enacted and declared, That such lands, tenements, rights, and interests, so to be purchased in pursuance of this act, shall be conveyed unto the said commissioners, or any five or more of them, and their heirs, for the respective purposes aforesaid; and the said commissioners, or any five or more of them, are hereby authorized and impowered to cause such churches to be built upon such sites so by them to be purchased, as aforesaid; and also cause such chapels already erected, as they, or any five or more of them, shall think proper to be made fit and convenient for parish churches, and to provide such houses for the habitations of the respective ministers of the said intended parishes, and to cause such church-yards and cemeteries to be made and inclosed for such new parishes, as by the said former or this present act are intended.

They may
provide ceme-
teries, &c.

IV. And be it further enacted by the authority aforesaid, That the said commissioners, or any five or more of them, (where they shall see occasion) shall provide more cemeteries than one for any of the said intended new parishes respectively; and wherever they shall purchase ground for cemeteries for any of the said intended new parishes, without the bounds and limits of such new parishes, the ground so purchased for that use, shall for ever after the purchasing and consecrating thereof, be deemed and taken to be part of the parish for the use of which it shall be so purchased and consecrated, and shall be for ever discharged from any rates or taxes to the other parish out of which it shall be so taken.

V. And

V. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the lord high treasurer now being, or the lord high treasurer, or commissioners of the treasury, for the time being, without any further or other warrant or authority to be sued for, had, or obtained in that behalf, from time to time, to direct the officers at the receipt of the Exchequer, to receive by way of loan from any person or persons, natives or foreigners, bodies politick or corporate, willing to make such loan or loans upon credit of the several duties upon coals by the said former act granted, such sum and sums of money as any five or more of the persons appointed by her Majesty's commission or letters patent before-mentioned, shall, from time to time, or at any time or times, think necessary, and shall by writing under the hands of them, or any five or more of them, desire to be raised, (by way of loan, as aforesaid) for the beginning, carrying on, or effecting all or any the services by the said recited act, or this present act intended, and to allow interest not exceeding the rate of six pounds *per centum per annum*, for the forbearance thereof; and that the monies so lent, shall not be taxed or assessed by any act of parliament whatsoever; and that such lenders shall have tallies of loan, and orders for their repayment, with such interest, as aforesaid, out of the duties granted by the said recited act, the principal to be paid in course, according to the respective dates of the tallies, and the interest every three months, until the repayment of the principal, and that no fee or reward shall be demanded or taken, in or for the payment thereof; and that the money arising on the said duties shall be liable to satisfy such orders accordingly, without being diverted from the same to any other use, intent, or purpose, upon pain of forfeiting treble damages, with full costs of suit, to the party grieved by the party offending; and that such orders shall be assignable by indorsements thereupon, according to the course in such cases used in the Exchequer; any thing in the said recited act contained to the contrary notwithstanding.

VI. Provided always, That such sums as, at any time or times before the fifteenth day of May, one thousand seven hundred and sixteen, shall become due for interest of money to be lent upon this act, shall and may be satisfied as the said interest shall, from time to time, become due, out of any money whatsoever which shall come into the Exchequer by way of loan on the credit aforesaid; any thing in this or the said recited act contained to the contrary notwithstanding.

VII. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the lord high treasurer now being, and the lord high treasurer, or commissioners of the treasury, for the time being, and they are hereby directed and authorized, (without any further or other warrant or authority to be sued for, had, or obtained in that behalf) from time to time, to issue and pay, or cause to be issued and paid, out of any the monies to arise by way of loan, or otherwise,

The treasury may direct the officers of the Exchequer to receive by way of loan such sums of money as 5 of the commissioners shall think necessary, &c.

9 Annæ, c. 22. and to allow interest at 6l. per cent.

The money so lent shall not be taxed, and the lenders shall have tallies of loan and orders, &c.

The interest to be paid every three months.

The orders to be assignable.

The sums due for interest before 15 May, 1716. to be satisfied from time to time, &c.

The treasury to issue money for the purchase of lands, &c.

and for converting chapels into parochial churches,

and for the reward of persons, &c.

to be paid to the treasurer, &c. appointed by the Queen in this behalf.

The said treasurer to be accountable in the Exchequer, and to give security, &c.

The commissioners to ascertain the bounds of each new church, &c.

such district to be deemed a distinct parish, &c.

by virtue of this or the said former act, (such money as is to be applied for repayment of principal, and satisfaction of the interest of the loans to be made, as aforesaid, only and always excepted) such sum and sums of money as shall be thought necessary by the said commissioners, or any five or more of them, for the purchasing such lands, tenements, rights, and interests for the purposes aforesaid, and for building such new churches, and converting chapels into parochial churches, and for providing houses for the habitations of the respective ministers, and for making and inclosing cemeteries or church-yards for such new intended parishes, or any other purposes by the said former or this present act prescribed or allowed, and for recompensing and rewarding such person and persons as have been or shall be necessarily employed under them, for their labour and pains, in such manner and proportion as the said commissioners, or any five or more of them, shall think fit; which monies so to be issued, as aforesaid, shall be paid unto such person and persons, not being of the number of the said commissioners, for the ends and purposes aforesaid, as her Majesty, her heirs and successors, shall, from time to time, direct and appoint to be the treasurer or treasurers in this behalf; and shall be received by him or them by way of imprest, and accounted for only by such treasurer or treasurers; and shall be disbursed, expended, and applied by such treasurer and treasurers respectively, according to such orders and warrants as he or they shall receive, from time to time, from the said commissioners, or any five or more of them, for all or any the uses or services by this or the said former act prescribed or allowed in that behalf, and not otherwise, or to any other use, intent, or purpose whatsoever; which said treasurer and treasurers respectively shall be accountable in the Exchequer for the same, and shall give such sufficient security as shall be approved of by the lord treasurer, or the commissioners of the treasury for the time being, before he or they enter upon his or their office, for making such account.

VIII. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said commissioners, or any five or more of them, by one or more instrument or instruments in writing on parchment under their hands and seals, to be inrolled in her Majesty's high court of *Chancery*, to describe and ascertain the true limits and bounds of the site of and belonging to each such new church and house for the habitation of the minister of such new church, and for such church-yards or cemeteries for each respective parish, and also the district and division of each parish that shall be appointed for every church to be erected or constituted, pursuant to this act, or the said former act; and every such district or division so set out, ascertained, and appointed, as aforesaid, for a new parish, shall, from and for ever after the inrolment of such instrument, and the consecration of such new church, appointed or intended for such district or division, be, and be deemed and taken to be of itself a distinct parish, to all intents and

and purposes whatsoever, except as touching church rates, the relief of the poor, and rates for the highways, as is herein after provided; and the inhabitants within the distinct limits of every such new parish, shall from thenceforth be the parishioners thereof, and subject and liable to such taxes, assessments, rates for the poor, cleansing the streets, and other duties within the said new parish, in like manner as inhabitants in the parish from which such new parish, or the greater part thereof, was divided and taken, are subject or chargeable to the same; and shall within the space of one month next after the consecration of such new church, in every such new intended parish respectively, be divided and exempt from such parish or parishes from which the same shall be so taken, and from bearing any such offices or charges, and from all dependencies and contributions for or in respect thereof, except as is hereby otherwise enacted or provided.

and be exempt from the parish from whence taken,

IX. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said commissioners, or any five or more of them, (if they shall think it requisite) by one or more instrument or instruments under their hands and seals, to be inrolled in the high court of *Chancery*, to separate, divide, and take a particular district or part out of any of the large parishes in and about the cities of *London* and *Westminster*, or the suburbs thereof, where any new church or churches shall be erected or made, and add, annex, and unite the same to any other lesser parish next adjoining thereto, wherein a church is already erected; and in such case the same shall afterwards, to all intents and purposes, (except as is herein otherwise enacted or provided) be deemed and taken as part of the parish to which the same shall be so added or annexed; and that the several inhabitants within such particular district, so divided and added to another parish, shall from thenceforth be liable in like manner to bear all parochial offices within the parish to which the same shall be added; and such inhabitants shall, from and after *Tuesday* in *Easter* week next after such instrument shall be made and inrolled, be in like manner discharged and exempted from bearing any offices in the former parish to which they did belong.

The commissioners may take a district out of any large parish where any new church shall be made, and add it to a lesser parish adjoining,

which shall be deemed as part of the parish to which it is so added; &c.

X. And it is hereby enacted by the authority aforesaid, That there shall be a rector of every new church and parish to be made or constituted, pursuant to this act, and a perpetual succession of rectors there, to have cure of the souls of the inhabitants of such new parish; and where there now is a certain morning preacher in any chapel which shall be converted into a parochial church, who shall have usually officiated there for the space of one month next before the consecration thereof, such minister, from and immediately after such consecration, shall be and is hereby declared to be the first rector of such new church and parish, without any admission, institution, or induction to the same; but shall nevertheless be and continue complete rector thereof in the same and as ample manner as if

There shall be a rector in every new church, &c. and a perpetual succession of rectors.

The morning preacher in any chapel converted into a new church shall be the first rector.

into; and in every
ted or constituted pur-
be nominated and ap-
new church and parish;
ed, or to be nominated,
e and are hereby incor-

ANNE, REG. 1.
C. 17. §. 4.

The freehold
shall be in him,
and he may
purchase, &c.
lands to the
value of 200 l.
per annum.

The commis-
sioners im-
powered to
enquire of the
right of pa-
tronage, &c.

and agree with
him who hath
the right for
the effectual
dividing the
parish, &c.

and for ascer-
taining the
right of pa-
tronage, &c.
and all agree-
ments, &c. to
be binding.

porated, and shall be named and called the rector of such new church respectively, by the name which shall be given to such church respectively in the act or instrument of consecration thereof; and shall be, and are hereby enabled to sue and be sued in all courts and places of this realm; and the freehold and inheritance of the lands and hereditaments to be purchased for such new church, church-yards, or cemetery or cemeteries, and such mansion or dwelling-house of such rector, shall be vested, by virtue of this act, in such rector of each such new parish, and his successors respectively; and he and they shall be seized thereof, as in his and their demesne as of fee, in right of the church, in such manner as other rectors be now seized of their respective churches and glebe; and every such new rector and his successors respectively, shall be and are hereby enabled to purchase and take any other lands, tenements, and hereditaments to such rector, for the time being, and his successors, rectors of the same church, not exceeding together the clear yearly value of two hundred pounds *per annum*, for each such church respectively.

XI. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said commissioners, or any five or more of them, and they are hereby authorized and impowered to enquire and inform themselves, by all lawful ways and means, of the right of advowson, patronage, and nomination, of or to the present church in every parish, from which any part or district shall be divided or taken by virtue or in pursuance of this act; and in what person or persons, bodies politick or corporate, the same, or any estate or interest therein, is, or at the time of such enquiry, shall be, and to treat and agree with all such persons having any right or interest in such advowson, patronage, or nomination, for the more effectual dividing and separating such present parish, and the tithes, oblations, dues, and revenues belonging to the present church, and the charges and dependencies thereof, and apportioning the same, to take place and effect from and immediately after the first avoidance of such present church respectively, in any parish from which any part or district shall be divided or taken, and for ascertaining and settling for ever the right of patronage of every new church or chapel made parochial, to which such district or part so divided shall be appointed or annexed; and all agreements and settlements, which shall be so made, for such further division, with the assent of the respective ordinary or ordinaries, or for settling such right of patronage, by any instrument or instruments in writing on parchment, under the hands and seals of such commissioners,

or any five or more of ~~the~~ ^{the} said, and under the seals of the parties having any right or interest in such patronages, or of any person or persons by such parties respectively authorized and enrolled in the said high court of *Chancery*, shall from thenceforth be binding and conclusive, as well to her Majesty, her heirs and successors, as to and against all other persons for ever.

XII. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for all bodies politick and corporate, guardians to infants under age, committees of lunaticks and idiots, executors, administrators, and trustees, and they are hereby enabled and impowered to contract with the said commissioners, or any five or more of them, for any lands, tenements, or hereditaments, and to sell and convey the same, and the respective estates or interest in them respectively vested of and in the same, and to agree with the said commissioners, or any five or more of them, for the limiting and settling the right of patronage and presentation of the succeeding rectors of such new intended parish churches; and such sale, conveyance, and settlements shall be valid and effectual to all intents and purposes, and so deemed and allowed in all courts of law or equity, and elsewhere, to bind all such corporations, infants, lunaticks, idiots, and the cestui que trusts; and all such guardians, committees, executors, administrators, and trustees, are hereby indemnified for so doing.

Any person, &c. may contract with the commissioners for any lands, &c.

and for settling the right of patronage, &c. and such sale, &c. to be good in law, to bind all corporations, &c.

XIII. Provided that such bargains and contracts be upon a petition to be preferred by or on behalf of such respective corporation, infant, lunatick, idiot, or cestui que trust, interested therein, examined, and approved by the high court of *Chancery*; which court shall also order and direct how the monies arising by such sale shall be applied or employed for the benefit of such corporation, infant, idiot, lunatick, or cestui que trust respectively.

Provido, such bargains, &c. to be upon a petition preferred, &c.

and approved by the *Chancery*, who shall order the application of the monies, &c.

XIV. Provided always, and it is hereby enacted and declared by the authority aforesaid, That it shall and may be lawful to and for her Majesty, her heirs and successors, in every such new parish, to be erected or constituted by virtue or in pursuance of this act, in the mean time, and until such agreement and settlement can be made concerning the patronage thereof respectively, to name, from time to time, the rector of such new churches to succeed therein.

The crown shall present till such settlement of the right of patronage.

XV. And it is hereby enacted and declared by the authority aforesaid, That as well the first rector, as all other succeeding rectors of every such new parish church (except the present preaching ministers of such chapels, as aforesaid) shall be presented and instituted, or collated, and also inducted, as other rectors and vicars are and ought to be, and shall observe and perform all other matters and things for the qualifying or entitling themselves thereto, as other rectors ought to do; and the new churches, which shall be erected or made in pursuance of this act, and the respective rectors thereof, with the churchwardens belonging to the same, shall be under and subject to

The first and succeeding rectors, (except the present preacher in a chapel) to be presented, &c. as other rectors are, and they and the churchwardens shall be subject to the ordinary.

the jurisdiction of the respective ordinary, within whose diocese or district such new church respectively is situated, and shall be visited by such ordinary respectively, in such manner as other churches, rectors, and church-wardens, within their respective jurisdictions, have been, or may be visited.

This act shall not deprive the succeeding rectors, &c. of any tithes, &c. till such agreements, &c. be made and inrolled.

XVI. Provided always, and it is hereby declared, That this act, or any thing herein contained, shall not extend, or be construed to extend to deprive the successors of the present rectors, vicars, and other ecclesiastical persons having cure of souls, of or in the present parish churches, out of which any part or district shall be divided or taken, of any tithes, dues, or profits belonging to any of them respectively, until such agreements or settlements, for the more effectual dividing and separating any such parish respectively, to be made and inrolled, and take effect, as aforesaid, with relation to such successors respectively; but that the successors of the present incumbents, till such agreements and settlements be made and take effect, shall and may have, hold, and enjoy the said respective rectories, vicarages, and curacies, and the tithes, dues, and profits thereof, in as ample manner as if this act had not been made, and as the present rectors, and other ecclesiastical persons, who are to hold and enjoy the same, during their respective incumbencies, are of right to hold and enjoy the same.

This act shall not prejudice any proprietor of a chapel, or his interest in any pews, &c.

XVII. Provided also, That nothing in this act contained shall extend, or be construed to extend, to prejudice or alter the property or interest of any proprietor or proprietors of, in, or to any of the chapels which shall be made or appointed parish churches, in pursuance of this act, or of or in any of the pews within the same, without the consent of such respective proprietor or proprietors first had and obtained in writing under his and their respective hands and seals; but that they and their heirs, executors, and administrators, shall hold and enjoy the same, in such and the same manner, as if this act had not been made.

If any proprietor shall sell his interest in any pew, it shall be sold to a parishioner.

XVIII. Provided nevertheless, That if any of the said proprietors shall be minded to sell or dispose of their said properties in any of the pews in any of the said chapels, the same shall be sold and disposed of only to such inhabitants of the respective parishes for which such chapels shall be so made or appointed parish churches, and to no other person or persons whatsoever.

The first church-wardens, &c. shall be elected by 5 of the commissioners, and shall have the like powers, &c.

as the like officers in London, &c.

XIX. And it is hereby enacted by the authority aforesaid, That the first church-wardens and overseers for the poor, scavengers, and surveyors for the highways, and other parish officers for every such new parish, shall, by the said commissioners, or any five or more of them, be nominated and elected out of the inhabitants of such new parish respectively, within the space of one month after the consecration of such church; and the said officers so elected, shall be invested with the like powers and authorities, and subject to the laws now in force in that behalf, as any other like officers in any other parish within the cities

cities of *London* and *Westminster*, or the suburbs thereof; and all the succeeding church-wardens, overseers for the poor, scavengers, and surveyors of the highways, and other parish officers, shall be nominated, chosen, and appointed, sworn, constituted, and admitted annually within every such parish, according to the laws now in force.

And all succeeding church-wardens, &c. shall be chosen annually.

XX. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said commissioners, or any five or more of them, with the consent of the bishop or ordinary of the place, by instrument under their hands and seals, to be enrolled in the high court of *Chancery*, to name a convenient number of sufficient inhabitants in each such new parish respectively, to be the vestrymen of such new parish, who shall have and exercise the like powers and authorities for ordering and regulating the affairs of such new parish, as the vestrymen of the present parish, out of which such new parish, or the greater part thereof shall be taken, now have or exercise; and if there be no select vestry in such present parish, then as the vestrymen of the parish of *Saint Martin in the Fields*, within the liberty of the city of *Westminster* in the county of *Middlesex*, now have or exercise; and from time to time, upon the death, removal, or other voidance of any such vestryman, the rest or the majority of them may elect a fit person, being an inhabitant and householder in the said parish, to supply the same.

The commissioners may name a vestry, who shall have the same powers as the vestrymen of the parish out of which such new parish shall be taken;

and upon the death, &c. of any vestryman, the majority shall chuse another.

XXI. Provided always, and it is hereby enacted and declared, That all parochial customs, usages, by-laws, and privileges, as are now in force or use within any present parish which shall be divided by virtue or in pursuance of this act, shall and may at all times after, and notwithstanding such division, continue and in force, as well in and for every new parish, of which the whole or the greater part shall be taken out of such present parish, as in and for such parish as shall remain to the present parochial church, and be used, enjoyed, and observed by the inhabitants thereof respectively, so far as the same shall not be repugnant to, or inconsistent with the laws of this realm, and the intent of this present act.

All parochial customs, &c. shall continue in both parishes.

XXII. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said commissioners, or any five or more of them, with the consent of the respective rectors, vicars, or ministers, church-wardens, and overseers of the poor, and of the vestry, or twenty of the principal inhabitants of any present parish in which there shall be no select vestry, from which any part or district shall, by virtue and in pursuance of this act, be taken, and of such parish or parishes to which any such district or division so taken, shall be appointed or belong, or else to or for such respective rectors, vicars, ministers, church-wardens, overseers of the poor, and vestrymen, or principal inhabitants, with consent of their respective ordinary or ordinaries, at any time or times hereafter, by instrument in writing under their hands and seals, to be enrolled in the high court of *Chancery*, to make an effectual and perpetual

The commissioners, &c. with consent of the present rectors, &c. may make a perpetual division of such parishes, &c. as to church rates, &c.

and such division, &c. shall be binding.

Till such agreement the church rates, &c. shall be levied, through all parts of the present parish.

The parish officers, &c. shall meet yearly on Tuesday in Easter week, and assess the rates for the poor, &c.

which rates, &c. shall be levied by the proper officers, &c.

perpetual division of such parishes or districts so divided, as to the church rates, relief of the poor, and rates for the highways, and other parish rates within the same respectively, and to limit and settle any certain annual sum or consideration for or in respect thereof, or for equality of such division, where there shall be occasion; and such division and settlement so made, shall be for ever after binding, effectual, and conclusive, to all persons, intents and purposes whatsoever.

XXIII. Provided always, and be it enacted and declared by the authority aforesaid, That in the mean time, and until such agreement for such rates respectively shall be made and take place, the church rates, poor rates, and rates for the highways, and other parish rates, shall be assessed and levied within and through all parts and districts which do now belong to such present parish.

XXIV. And for the better ordering, dividing, collecting, and distributing, from time to time, such rates within the present limits of every parish which shall be divided, pursuant to this act, in the mean time, and until such further and perpetual divisions shall be made, it shall and may be lawful to and for the church-wardens and overseers of the poor, with the vestry or principal inhabitants of each parish respectively, as aforesaid, to which any part or district of such present parish, after any division thereof to be made, pursuant to this act, shall remain or belong, to assemble and meet together in the present parish church or vestry room, annually, upon *Tuesday* in *Easter Week* in the forenoon, or oftner, from time to time, as occasion shall require; and notice thereof shall be given on the Lord's day next before in the church of each such parish immediately after the morning service; and to or for them, or the major part of them so assembled, to agree upon or ascertain the monies or rates to be assessed within the limits of such present parish, for the relief of the poor, or repair of the highways, and other parish rates within such limits, or the repair of any church to which any part or district of such present parish shall, when divided, belong; and to divide, ascertain, and apportion such monies and rates to and upon every part or district of such present parish so divided respectively, with regard to the value of the lands and estates therein assessable to the same; which monies or rates so to be divided or apportioned, shall be assessed, levied, and collected in each such district accordingly, by the proper officers of the respective parish to which such district shall remain or belong, and by such ways and means as the officers of the present parish might have assessed, collected, or levied the same, if such division or this act had not been made; and also to divide, ascertain, and distribute such monies and rates so assessed and collected through the present limits of such parish, in just and reasonable proportions, to and for every such part and district respectively, as the same shall be divided, separately and apart, for the relief of the poor, and repair of the highways, and other parish rates within such part or district,

trict, and for the repair of the respective church to which such part or district shall remain or belong, with regard to the wants and occasions of each such part or district, for the uses and purposes aforesaid respectively; and all such proportions so to be distributed, shall be employed and applied to the proper uses and purposes for which the same was assessed, and shall be distinctly accounted for by the officers of the respective parish to which such district shall remain or belong.

XXV. Provided always, That in all such cases when and so often as such annual or other agreements shall not be had or made for the apportioning and distributing such rates, it shall and may be lawful to and for the church-wardens of the present parish church, and the overseers of the poor, and surveyors of the highways for the parish or district then remaining to such present church, to assess, collect, and levy of the inhabitants within and throughout the present limits of such parish, for the relief of the poor, and repair of the highways within the present limits of such parish, and the repair of the present church, all such rates and taxes, as the church-wardens, overseers of the poor, and surveyors of the highways of such parish might have done before any division made; any thing in this act to the contrary notwithstanding.

XXVI. Provided always, and be it enacted and declared by the authority aforesaid, That neither this act, nor any thing herein contained, shall extend to invalidate or avoid any ecclesiastical law or constitution of the church of *England*, or to destroy any of the rights or powers belonging to the bishop of *London*, and his successors, or any other local ordinary, or to any archdeacon, chancellor, or official.

XXVII. And it is hereby enacted and declared, That he and they respectively may at all times hereafter visit, institute, and exercise ecclesiastical jurisdiction in all parishes to be erected or divided by virtue and in pursuance of this act, or in any part or place within the same, as amply as they or any of them may now do therein, and in such manner as in any other parishes or places within his or their diocese or jurisdiction respectively; the admission and institution of such present preaching ministers in such chapels as shall be consecrated and converted into parochial churches, only excepted.

XXVIII. Provided always, and be it enacted by the authority aforesaid, That one of the said fifty new churches shall be erected in *East Greenwich* in the county of *Kent*, as in the said former act is directed.

XXIX. Provided always, and be it enacted by the authority aforesaid, That it shall and may be lawful to and for her Majesty, her heirs and successors, at any time before the twentieth day of *December*, one thousand seven hundred and twelve, by letters patent under the great seal of *Great Britain*, to nominate, constitute and appoint such persons to be commissioners to execute all and every the powers in the said recited act, and in this act mentioned, as her Majesty shall think fit; and from such appointment so made, the powers hereby

In default of such yearly agreements, &c. the parish officers for such district, &c. shall assess all rates, &c.

This act shall not invalidate any ecclesiastical law, &c. nor destroy the rights of the bishop of London, &c.

The said bishop, &c. may visit, &c. in all such new parishes, &c.

One of the new churches shall be built at Greenwich.

Before 29 Sept. 1712. the Queen, &c. may appoint commissioners to execute this act.

granted to the commissioners, in the said former letters patent, shall determine.

All monies to be issued without fee.

XXX. And be it enacted by the authority aforesaid, That all the monies to be issued by or in pursuance of this or the said former act for building the said churches, and other the uses therein mentioned, shall be issued and paid without fee or charge to be demanded or taken for the same.

No burial to be in any of the new churches, and the commissioners may ascertain what shall be paid for burying in the church yards.

XXXI. And be it enacted by the authority aforesaid, That no burial shall, at any time hereafter, be in or under any of the churches by this act intended to be erected, and that it shall and may be lawful to and for the said commissioners, or any five or more of them, to ascertain the sum of money that shall be paid to the rector, and each officer belonging to each church, for every burial in any of the cemeteries or churchyards, by this act intended to be purchased.

9 Annæ, c. 22.

XXXII. *And whereas, by the said act made in the ninth year of her Majesty's reign, it is enacted, That out of the sums of money which should be raised by virtue of the said act, there should be applied the sum of four thousand pounds per annum towards the repairing and finishing the collegiate church of St. Peter, Westminster, and the chapels of the same:* be it therefore enacted by the authority aforesaid, That the said sum of four thousand pounds

The yearly sum of 4000l. shall be paid to the chancellor of the Exchequer, &c. for repairing Westminster Abbey, &c. who are constituted commissioners, &c.

per annum, during the continuance of the said former act, shall be issued and paid unto the chancellor of the Exchequer, the lord chief justice of the Queen's Bench, and the dean of the said collegiate church, for the time being, who are hereby constituted and appointed commissioners for repairing the said collegiate church and chapels of the same, by equal quarterly payments; the first payment to commence and be made on the thirtieth day of *December*, in the year one thousand seven hundred and sixteen: which said sums of money so to be paid to the said chancellor of the Exchequer, lord chief justice of the Queen's Bench, and dean of the said collegiate church, shall be by them laid out and expended in and towards the repairing the said collegiate church and chapels of the same; and books of accounts shall be kept by them, the said chancellor of the Exchequer, lord chief justice of the Queen's Bench, and dean of the said collegiate church, or by their deputies or officers, of all monies which, from time to time, shall be received, paid, disbursed, and applied towards the repairing the said collegiate church and chapels of the same; the said books to be inspected by all persons *gratis*, and also abstracts of such books of account shall be by them, the same commissioners, or any two of them, before the end of *Michaelmas* term, in every year, transmitted and delivered into her Majesty's remembrancer's office in the court of *Exchequer*, to be there received, kept and viewed without fee or reward, in such manner as is directed by an act made in the eighth and ninth years of the reign of his late majesty King *William* the Third, intituled, *An act for completing the building and adorning the cathedral church of St. Paul, London, and for repairing the collegiate church of St. Peter, Westminster.*

And they to keep books of accounts, &c.

And deliver abstracts thereof into the remembrancer's office, &c. as directed by the act of 8 & 9 W. 3. c. 14.

XXXIII. *And*

XXXIII. *And whereas by an act made in the two and twentieth year of the reign of the late King Charles the Second, intituled, An additional act for the rebuilding the city of London, uniting of parishes, and rebuilding of the cathedral and parochial churches within the said city; the number of parish churches to be rebuilt was fifty one, and the church of St. Mary Woolnoth is one of the said fifty one churches directed to be rebuilt, for which purpose several duties upon coals imported and brought into the port of the city of London, or river of Thames within the liberty of the said city upon the said river, were granted; and by one other act made in the first year of the reign of King James the Second, a further duty was laid upon coals imported, and power thereby given to the lord archbishop of Canterbury, lord bishop of London, and to the lord mayor of London, for the time being, to appropriate by warrant under their hands and seals, such part of the imposition thereby granted, as should in their discretion seem sufficient for the completing of any the said parochial churches that might happen to remain unfinished, so as the same did not in any one year exceed one fifth part of the same duty: and whereas by one other act made in the eighth year of the reign of the late King William the Third, a duty or imposition of twelve pence for every chaldre or tun of coals imported or brought in, as aforesaid, from and after the nine and twentieth day of September, one thousand seven hundred, and before the nine and twentieth day of September, one thousand seven hundred and sixteen, was granted, and power given thereby to the said lord archbishop of Canterbury, lord bishop of London, and lord mayor of London, for the time being, or any two of them, to appropriate the money to be thereby raised for the purposes in the said act of the first year of the said late King James mentioned, except as in and by the said late recited act is otherwise particularly directed and appointed: and whereas also the parish church of St. Mary Woolnoth was, for the conveniency of the inhabitants there, only repaired, and not rebuilt, as by the said act was directed, and the old walls, east, west, and south, and the roof thereof, together with the tower or steeple, are now become so ruinous, that there is a necessity of rebuilding and finishing the same; be it therefore enacted by the authority aforesaid, That it shall and may be lawful to and for the said lord archbishop of Canterbury, lord bishop of London, and lord mayor of London, or any two of them, to appropriate, by warrants under their hands and seals, out of the surplus of the monies arising by the said duties and impositions of twelve pence per chaldre, or twelve pence per tun on coals, applicable for the purposes in the said act of the first year of the late King James the Second, after the said cathedral church shall be finished and adorned, and other charges upon the said duties discharged, so much money as shall be sufficient for the rebuilding and finishing of the said parish church of St. Mary Woolnoth, and the tower thereof, as shall be necessary; any thing herein, or in the said recited acts, contained to the contrary thereof in any wise notwithstanding.*

Vide 1 Geo. 1. stat. 2. cap. 23. 4 Geo. 1. c. 14. & 5 Geo. 1. 9.

CAP. XII.

An act to restore the patrons to their ancient rights of presenting ministers to the churches vacant in that part of Great Britain called Scotland.

WHEREAS by the antient laws and constitutions of that part of Great Britain called Scotland, the presenting of ministers to vacant churches did of right belong to the patrons, until by the twenty third act of the second session of the first parliament of the late King William and Queen Mary, held in the year one thousand six hundred and ninety, intituled, *Act concerning patronages*, the presentation was taken from the patrons, and given to the heretors and elders of the respective parishes; and in place of the right of presentation, the heretors and life renters of every parish were to pay to the respective patrons a small and inconsiderable sum of money, for which the patrons were to renounce their right of presentation in all times thereafter: and whereas by the fifteenth act of the fifth session, and by the thirteenth act of the sixth session of the first parliament of the said King William, the one intituled, *An act for encouraging of preachers at vacant churches be-north Forth*, and the other intituled, *Act in favours of preachers be-north Forth*; there are several burthens imposed upon vacant stipends, to the prejudice of the patrons right of disposing thereof: and whereas that way of calling ministers has proved inconvenient, and has not only occasioned great heats and divisions among those who by the aforesaid act were entitled and authorized to call ministers, but likewise has been a great hardship upon the patrons, whose predecessors had founded and endowed those churches, and who have not received payment or satisfaction for their right of patronage from the aforesaid heretors or life renters of the respective parishes, nor have granted renunciations of their said rights on that account; be it therefore enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the aforesaid act made in the year one thousand six hundred and ninety, intituled, *Act concerning patronages*, in so far as the same relates to the presentation of ministers by heretors and others therein mentioned, be and is hereby repealed and made void; and that the aforesaid fifteenth act of the fifth session, and thirteenth act of the sixth session, of the first parliament of King William, be and are hereby likewise repealed and made void; and that in all time coming, the right of all and every patron or patrons to the presentation of ministers to churches and benefices, and the disposing of the vacant stipends for pious uses within the parish, be restored, settled, and confirmed to them, the aforesaid acts, or any other act, statute, or custom to the contrary in any wise notwithstanding; and that from and after the first day of May, one thousand seven hundred and twelve, it shall and may be lawful for her Majesty, her heirs and successors, and for every other person or persons, who have right to

The recited act concerning patronages, so far as it relates to presentations by heretors, &c. made void.

The other recited acts repealed. And the rights of patrons restored.

After 1 May, 1712, the crown, and

to any patronage or patronages of any church or churches whatsoever, in that part of *Great Britain* called *Scotland*, (and who have not made and subscribed a formal renunciation thereof under their hands) to present a qualified minister or ministers to any church or churches whereof they are patrons, which shall, after the said first day of *May*, happen to be vacant; and the presbytery of the respective bounds shall and is hereby obliged to receive and admit in the same manner such qualified person or persons, minister or ministers, as shall be presented by the respective patrons, as the persons or ministers presented before the making of this act ought to have been admitted.

others who have right to patronages, may present qualified ministers, and the presbyteries shall receive them.

II. Provided always, That in case any patron or patrons have accepted of, and received any sum or sums of money from the heretors or life renters of any parish, or from the magistrates or town council of any borough, in satisfaction of their right of presentation, and have discharged or renounced the same under their hand, that nothing herein shall be construed to restore such patron or patrons to their right of presentation; any thing in this present act to the contrary notwithstanding.

Not to restore the right of presentation to patrons who have sold the same.

III. Provided also, and it is hereby enacted by the authority aforesaid, That in case the patron of any church aforesaid, shall neglect or refuse to present any qualified minister to such church that shall be vacant the said first day of *May*, or shall happen to be vacant at any time thereafter, for the space of six months, after the said first day of *May*, or after such vacancy shall happen, that the right of presentation shall accrue and belong for that time to the presbytery of the bounds where such church is, who are to present a qualified person for that vacancy *tanquam Jure devoluto*.

Patron not presenting in six months, the right shall accrue to the presbytery.

IV. And be it further enacted and declared by the authority aforesaid, That the patronage and right of presentations of ministers to all churches which belonged to archbishops, bishops, or other dignified persons, in the year one thousand six hundred eighty nine, before episcopacy was abolished, as well as those which formerly belonged to the crown, shall and do of right belong to her Majesty, her heirs and successors, who may present qualified ministers to such church or churches, and dispose of the vacant stipends thereof for pious uses, in the same way and manner as her Majesty, her heirs and successors, may do in the case of other patronages belonging to the crown.

Patronages, which before episcopacy was abolished, belonged to archbishops, &c. shall belong to her Majesty, &c.

V. Declaring always, That nothing in this present act contained, shall extend, or be construed to extend, to repeal and make void the aforesaid twenty third act of the second session of the first parliament of the late King *William* and Queen *Mary*, excepting so far as relates to the calling and presenting of ministers, and to the disposing of vacant stipends in prejudice of the patrons only.

How far the 23d act of sess. 2. parl. 1. W. and M. shall be repealed.

VI. And be it further enacted by the authority aforesaid, That all and every patron and patrons, who have not taken, or shall not take, at any time before his or their presenting a minister or ministers to any church or churches aforesaid, the oath

Patrons to take the oath in 6 Annæ, c. 24.

oath

Refusing, the presentation shall be void, and the crown shall present.

Known or suspected papists shall take the formula, before they present, otherwise the presentation shall be void, and her Majesty, &c. may present.

oath appointed to be taken by persons in publick trust, by an act made in the sixth year of her Majesty's reign, intituled, *An act for the better security of her Majesty's person and government*, shall, and are hereby obliged, at their signing such presentation, to take and subscribe the aforesaid oath before the sheriff of the shire, steward of the stewartry, or before any two or more justices of the peace of the county or place where such patron resides; and in case such patron or patrons, who have not formerly taken the aforesaid oath, refuse or neglect to take the same at the signing of such presentation, that the same shall be and is hereby declared to be void, and the right of presentation, and of the disposing the vacant stipends for that time, shall belong to her Majesty, her heirs and successors, who may present a qualified person to such church or benefice, at any time within the space of six months after such neglect or refusal; any thing in this present act, or in any other act to the contrary notwithstanding.

VII. *And whereas the right of patronage of churches may belong to papists*; be it therefore enacted by the authority aforesaid, That any person or persons, known or suspected to be papists, and who have a right of presenting ministers, shall be obliged, at or before his or their signing any presentation, to purge himself of popery, by taking and signing the formula contained in the third act of the parliament of Scotland, held in the year one thousand seven hundred, intituled, *Act for preventing the growth of popery*; and in case such popish patron or patrons shall refuse to take and subscribe the formula aforesaid, the same being tendered to him or them by the sheriff of the shire, steward of the stewartry, or any two or more justices of the peace within their respective jurisdiction, who are hereby impowered to administer the same, the presentation, and the right of disposing the vacant stipends shall for that time belong to her Majesty, her heirs and successors, who may present any qualified person or persons within six months after such neglect or refusal; any thing in this present act, or any other act to the contrary notwithstanding.

C A P. XIII.

An act for repealing part of an act passed in the parliament of Scotland, intituled, Act for discharging the Yule vacance.

WHEREAS by the twenty second act passed in the parliament of Scotland, anno one thousand six hundred and ninety, intituled, *Act for discharging the Yule vacance, the annual vacation of the court of session, and all other inferior courts of judicature, is thereby discharged, and the senators of the college of justice, or court of session, are ordained to meet and sit for the administration of justice, from the first day of November, to the first of March yearly, without any interruption*; which has been by experience found inconvenient and burthensome to the subject in that part of the kingdom; be it therefore enacted by the Queen's most excellent majesty,

jeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That the ſaid act, ſo far as the ſame relates to the diſcharging of the *Yule vacance*, be and is hereby repealed, annulled, and made void, to all intents and purpoſes whatſoever.

The 22d act paſſed in 1690, ſo far as it relates to diſcharging the *Yule vacance*, repealed.

II. And be it further enacted and declared by the authority aforeſaid, That the *Chriſtmas* vacation of the ſeſſion of college of juſtice, and all other inferior courts of juſtice, in that part of *Great Britain* called *Scotland*, ſhall yearly and in all time coming continue and endure from the twentieth of *December*, to the tenth of *January*, both incluſive; the ſaid law or any other law or cuſtom to the contrary notwithstanding.

Chriſtmas vacation to continue from *December 20*, to *January 10*, yearly.

Repealed by 1 Geo. 1. ſtat. 2. c. 28.

CAP. XIV.

An act for the reviving and continuing ſeveral acts therein mentioned, for the preventing miſchiefs which may happen by fire; for building and repairing county gaols; for exempting apothecaries from ſerving pariſh and ward offices, and ſerving upon juries; and relating to the returning of jurors.

WHEREAS divers temporary laws, which by experience have been found uſeful and beneficial, are expired and near expiring, therefore for reviving and continuing the ſame, be it enacted by the Queen's moſt excellent majeſty, by and with the advice and conſent of the lords ſpiritual and temporal, and commons, in this preſent parliament aſſembled, and by the authority of the ſame, That the clause herein after-mentioned in the act made in the ſixth year of her preſent Majeſty's reign, intituled, *An act for the better preventing miſchiefs that may happen by fire, videlicet*; and be it further enacted by the authority aforeſaid, That no action, ſuit, or proceſs whatſoever, ſhall be had, maintained, or proſecuted againſt any perſon in whoſe houſe or chamber any fire ſhall, from and after the ſaid firſt day of *May*, accidentally begin, or any recompence be made by ſuch perſon for any damage ſuffered or occaſioned thereby; any law, uſage, or cuſtom to the contrary notwithstanding; and if any action ſhall be brought for any thing done in purſuance of this act, the defendant may plead the general iſſue, and give this act in evidence; and in caſe the plaintiff become nonſuit, or diſcontinue his action or ſuit, or if a verdict paſs againſt him, the defendant ſhall recover treble coſt: which clause being made temporary, and being expired, ſhall be and are hereby revived and made perpetual.

The clause 6 Annæ, c. 31. ſ. 6. relating to accidental fires, revived and made perpetual.

II. And be it further enacted by the authority aforeſaid, That the act made in the eleventh and twelfth years of the reign of his late majeſty King *William the Third*, intituled, *An act to enable juſtices of the peace to build and repair gaols in their reſpective counties*, which was to continue for ten years, being expired, ſhall

The act 11 & 12 W. 3. c. 19. relating to the building and repairing

county gaols, continued for 7 years, &c. *This clause is made perpetual by 6 Geo. 2. c. 19. f. 1. The act 6 W. 3. c. 4. for exempting apothecaries from serving as constable, &c. continued by 1 Annæ, stat. 1. c. 11. further continued for 11 years, &c. Made perpetual, 9 Geo. 1. c. 8.*

shall be and is hereby revived and continued, and shall be in force, from the first day of *May*, one thousand seven hundred and twelve, for and during the space of seven years, and from thence to the end of the next session of parliament.

III. And be it further enacted by the authority aforesaid, That an act made in the sixth and seventh years of the reign of his late majesty King *William the Third*, intituled, *An act for exempting apothecaries from serving the offices of constable, scavenger, and other parish and ward offices, and from serving upon juries*, which act was to continue for the space of seven years, and from thence to the end of the next session of parliament; which act was by an act made in the first year of her present Majesty's reign, intituled, *An act for receiving the act*, intituled, *An act for exempting apothecaries from serving the offices of constable, scavenger, and other parish and ward offices, and from serving upon juries*, continued for the space of seven years, and from thence to the end of the next session of parliament; which act will expire at the end of the next session of parliament, after the eleventh day of *February*, one thousand seven hundred and twelve, shall be and remain in full force from and after the expiration thereof, for the space of eleven years, and from thence to the end of the next session of parliament.

The act 4 & 5 W. & M. c. 24. so far as relates to the returning of jurors, farther continued for 7 years by 9 Geo. 1. c. 8. f. 2. continued by 7 & 8. W. 3. c. 32.

IV. And whereas in an act made in the fourth and fifth years of the reign of their late majesties King *William and Queen Mary*, intituled, *An act for reviving, continuing, and explaining several laws therein mentioned, which are expired and near expiring, there are several good clauses and provisions relating to the returning of jurors, which clauses and provisions were by the said act to continue in force for three years, from the first of May, one thousand six hundred ninety three, and from thence to the end of the next session of parliament; which said clauses and provisions were, by an act made in the seventh and eighth years of the late King William the Third, intituled, An act for the ease of jurors, and better regulating of juries, continued for seven years, from the first day of May, one thousand six hundred ninety six, and from thence to the end of the next session of parliament, and no longer; which said last-mentioned act was also to continue but for the said term of seven years, from the said first day of May, one thousand six hundred ninety six, and to the end of the next session of parliament; but was by another act made in the first year of the reign of her present Majesty, intituled, An act for continuing former acts for exporting leather, and for ease of jurors, and for reviving and making more effectual an act relating to vagrants, continued further for seven years from the expiration thereof, and to the end of the next session of parliament: and whereas several other clauses and provisions, relating to the returns and service of jurors, were made in another act made in the session of parliament, held in the third and fourth years of her present Majesty's reign, intituled, An act for making perpetual an act for the more easy obtaining partition of lands in coparcenary, joint tenancy, and tenancy in common; and also for making more effectual*

further continued by 3 Annæ, stat. 2. c. 13.

and further by 3 & 4 Annæ, c. 18. 3 Geo. 2. c. 25. 4 Geo. 2. c. 37,

and

and amending several acts relating to the return of jurors; and were only to continue in force during the continuance of the said act; all which clauses, provisions, and act, are near expiring; be it therefore enacted by the authority aforesaid, That all the said clauses, provisions, and act, shall be, and are hereby continued, and shall be in force from the expiration thereof, for and during the space of eleven years, and from thence to the end of the next session of parliament.

V. And whereas by the said act made in the seventh and eighth years of the said King William, it is enacted, That from and after the four and twentieth day of June, one thousand six hundred ninety six, no person shall be returned or summoned to serve upon any jury of the assizes, or general gaol delivery to be holden for the county of York, or at any sessions of the peace to be holden for any part thereof (the city of York, and county of the said city, and town and county of Kingston upon Hull, excepted) above once in four years, and some doubt having arisen on what is to be understood by any sessions of the peace to be holden for any part thereof; therefore for explaining the same words, and avoiding any dispute that may hereafter be made touching the construction thereof; be it enacted and declared, That the same shall be construed to extend, not only to any sessions of the peace to be holden for any of the ridings within the said county of York, but also to any sessions of the peace that shall be holden by adjournment for any part of the said ridings, or any of them.

VI. Provided nevertheless, That if any person interested in such estate, as will qualify him to serve on juries, of the clear yearly value of one hundred and fifty pounds, or of any greater yearly value, shall serve as a juror at any of the said sessions or adjournments, he shall not thereby be exempted from serving as a juror at the assizes or general gaol delivery to be holden for the said county of York, for the said term of four years, or any other term; any thing in the said recited acts, or any of them, or in this present act, contained to the contrary thereof in any wise notwithstanding.

VII. Provided nevertheless, That nothing in this act be construed to extend to repeal or alter any of the powers or privileges granted or confirmed to the justices of the peace of the county of Devon, by an act passed in the last session of parliament, intituled, *An act for ratifying several purchases lately made with the publick stock of the county of Devon; and for making further purchases for the use of the said county with the publick stock thereof; and also for regulating and better employment of the publick stock of the said county.*

CAP. XV.

An act for repealing a clause in the statute made in the twenty first year of the reign of King James the First, intituled, An act for the further description of a bankrupt, and relief of creditors against such as shall become bankrupts, and for inflicting corporal punishment upon the bankrupts, in some special cases, which make descriptions of bankrupts; and for the explanation of the laws relating to bankruptcy, in case of partnership.

17 Ja. 1. c. 19. **W**HEREAS by an act made in the one and twentieth year of the reign of King James the First, intituled, An act for the further description of a bankrupt, and relief of creditors against such as shall become bankrupts, and for inflicting corporal punishment upon the bankrupts, in some special cases; it is, (amongst other things) enacted, That all and every person or persons using, or that should use the trade of merchandize, by way of bargaining, exchange, bartering, chesifance, or otherwise, in gross or by retail, or seeking his or her living by buying and selling, or that should use the trade or profession of a scrivener, receiving other mens monies or estates into his trust or custody, who, at any time after the end of the said session of parliament, being indebted to any person or persons in the sum of one hundred pounds or more, should not pay or otherwise compound for the same within six months next after the same should grow due, and the debtor be arrested for the same, or within six months after an original writ sued out to recover the said debt, and notice thereof given unto him, or left in writing at his or their dwelling-house or last place of abode, or being arrested for the sum of one hundred pounds or more of just debt or debts, should, at any time after such arrest, procure his enlargement by putting in common or hired bail, should be accounted and adjudged a bankrupt to all intents and purposes, and in the said cases of arrest, or getting forth by common or hired bail, from the time of his or her said first arrest: and whereas it is found by experience, that many and great mischiefs and inconveniences have happened, especially of late, to trade and credit in general, by reason of the said descriptions of a bankrupt: for remedy thereof for the future; be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by authority of the same, That the said act, and also all and every other act and acts of parliament whatsoever, so far forth as they relate to the said descriptions of a bankrupt, be, from and after the twentieth day of April, in the year of our Lord one thousand seven hundred and twelve, repealed and made void; and that no person or persons whatsoever, within the said descriptions, or any of them, shall, from and after the said twentieth day of April, for or by reason of the same, be taken or adjudged to be within the statute or statutes of bankrupt whatsoever.

After April 20, 1712, the recited act, &c. so far as relates to the description of a bankrupt, repealed.

II. Provided

II. Provided nevertheless, and be it enacted by the authority aforesaid, That no act, sale, or disposition of any the estate of such persons within the said descriptions, or any distribution of the same, by or under any commission or commissions of bankruptcy, before the said twentieth day of April, taken out against such person or persons, shall be hereby impeached or frustrated, but the same shall be enjoyed for and towards satisfaction of the debts for which the same have been disposed or distributed.

Not to frustrate any act, sale, &c. of the estates of such persons, by any commission taken out before the said 20th of April,

III. And whereas a doubt has arisen upon an act made in the fourth year of her Majesty's reign, intituled, An act to prevent frauds frequently committed by bankrupts, whether the discharge of a bankrupt, by virtue of that act, should be construed to discharge the partners of such bankrupt from the same debt; be it therefore further enacted and declared, by the authority aforesaid, That by the discharge of any bankrupt or bankrupts, by force of the said act, or any other acts relating to bankrupts, from the debts by him, her, or them due and owing at the time that he, she, or they did become a bankrupt, shall not be construed, nor was meant or intended to release or discharge any other person or persons who was or were partner or partners with the said bankrupt in trade, at the time he, she, or they became a bankrupt, or then stood jointly bound, or had made any joint contract together with such bankrupt or bankrupts, for the same debt or debts from which he was discharged, as aforesaid, but that notwithstanding such discharge, such partner and partners, joint obligor and obligors, and joint contractors with such bankrupt and bankrupts, as aforesaid, shall be and stand chargeable with, and liable to pay such debt and debts, and to perform such contracts, as if the said bankrupt and bankrupts had never been discharged from the same.

4 Ann. c. 17. By the discharge of a bankrupt his partner shall not be discharged.

C A P. XVI.

An act for regulating, improving, and encouraging the woollen manufacture of mixt or medley broad cloth, and for the better payment of the poor employed therein.

WHEREAS by the ill practices of some makers of mixture or medley broad cloth, and the unskilfulness of others, by excessive straining such clothes, and other abuses committed in working the same, great damages and disappointments have happened, not only to the buyers and wearers of the said cloth, but much to the disreputation of the said manufacture both at home and abroad, and the workers or poor labourers, employed in working and making up the said manufacture, have been impoverished, and are daily discouraged by imposing on them goods and wares of several kinds for their labour instead of ready money, which practices have been great discouragements to the good makers of, and fair dealers in the said mixture or medley broad cloth: for remedy therefore of the said ill practices or abuses, and in order to the reviving and preserving the reputation of the said cloth, both at home and abroad, and for the improvement thereof, and encouragement of all good makers and fair dealers therein, may it please your Majesty, that

After June
24, 1712, med-
ley broad
cloth shall be
measured at
the fulling
mill, by the
master, &c.

who shall take
an oath truly
to perform
such measur-
ing,

and shall affix
a seal to each
cloth, men-
tioning the
length,
breadth, &c.

If damaged
after measur-
ing, it shall be
measured, &c.
again.

Neglecting to
measure,
counterfeiting
the seal, &c.
forfeits 20s.
for each cloth.

Penalty of
over-stretch-
ing, &c.

it may be enacted; and be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the twenty fourth day of *June*, which shall be in the year of our Lord one thousand seven hundred and twelve, all mixture or medley broad cloth to be made, shall be measured at the fulling mill, after the same shall be fully milled and scoured, and thoroughly wet, by the master, owner, or occupier of every such fulling mill, who shall, and he is hereby obliged to take an oath before some justice of the peace near to such fulling mill, that he will well and truly perform such measuring, (which oath such justice of peace is hereby authorized and required to administer, and thereof to give such master, owner, or occupier of such fulling mill, a certificate of his having so done) and that every such master of every fulling mill shall affix, or cause to be affixed, at the head-end of every such cloth, before it shall be carried from the mill, a seal of lead, (to be furnished by the clothier) and the master or occupier of every such fulling mill shall rivet the same on every such cloth, and stamp his name thereupon, mentioning in figures the length and breadth of every such cloth, for which he shall be paid by the owner of every such cloth one penny, and no more; and the length and number of yards so stamped on such seal, shall be a rule of payment for every such cloth by the buyer of the same. Provided always, That if it shall happen, that after any cloth hath been milled, sealed, and stamped, as aforesaid, or any part thereof, shall by any accident be damaged and taken off, such part of the same, as shall not be damaged, shall be again measured, sealed, and stamped, as is before directed.

II. And it is further enacted by the authority aforesaid, That if such master or occupier of such fulling mill shall refuse or neglect to fix such seal, as aforesaid, upon the head-end of the said cloth; or if any person shall afterwards take off such seal, or deface, counterfeit, or alter the figure of any such seal, before the cloth is sold, and if the buyer of such cloth or clothes shall refuse to accept or take the same, pursuant and according to the measures herein before directed to be taken; every such person and persons that shall so offend, and be therefore lawfully convicted upon the oath of one or more credible witness or witnesses, shall, for every such neglect or offence, forfeit the sum of twenty shillings for every such cloth, to be recovered and distributed as in this act is afterwards provided for.

III. And be it further enacted by the authority aforesaid, That no clothier or clothworker, or any person or persons employed by him, after any mixt or medley broad cloth is fully wet, sealed, and stamped, as aforesaid, shall, from and after the said twenty fourth day of *June*, one thousand seven hundred and twelve, stretch or strain any such mixt or medley broad cloth above one yard in twenty yards length thereof, or above nail of in the breadth thereof; and that every per-
son

son or persons offending therein, shall, for every offence, (being duly convicted thereof before such mixt or medley broad cloth is sold, or exposed to sale) forfeit the sum of twenty shillings, to be recovered and distributed as in and by this act is afterwards directed.

IV. And to prevent any objection that may arise from the different method or manner of measuring any mixture or medley broad cloth; be it further enacted by the authority aforesaid, That from and after the said twenty fourth day of *June*, one thousand seven hundred and twelve, every mill-man, owner, or occupier of every fulling mill, shall have in some convenient place in his said mill, one table or board twelve foot long, and three foot wide at least, whereon the said cloth shall be doubled or creased, and laid plain, with the length of a yard nailed or marked thereupon, to which shall be added one inch more, which shall be used instead of that which is commonly called a thumb's breadth, so that the same length shall contain thirty seven inches, to prevent any dispute in respect of such measuring by the yard; and in default of such table or board being provided and constantly kept for the use thereof, every person neglecting the same, shall forfeit the sum of ten pounds, to be recovered and distributed in such manner as in this act is afterwards provided.

Method to be observed in measuring.

V. And be it further enacted by the authority aforesaid, That as to any stock of the said mixture or medley broad cloth, which hath been made before, and which upon the said twenty fourth day of *June*, one thousand seven hundred and twelve, shall be in hand and unfold, it shall and may be lawful for any clothier to take any or every such cloth or clothes so then in hand unfold, and to throw the same into the water to shrink the same, in order to its being measured and sealed, as by this act is before directed.

Cloth made before the said 24th of June, and unfold, may be shrunk and measured as by this act,

VI. And be it further enacted by the authority aforesaid, That from and after the said twenty fourth day of *June*, one thousand seven hundred and twelve, every clothier, cloth-worker, card-maker, or any other person concerned in the trade of the woollen manufacture, shall make payment in money to all and every person and persons any ways employed or concerned in the woollen manufacture, for all work to be done in relation thereunto, and shall not, in lieu of payment, impose or deliver to them any sort of goods or wares for such work; and in case any person or persons shall, in lieu of payment, so impose on or deliver to any workmen or poor labourers, any goods or wares, for or instead of money, every person or persons so offending therein, shall, for every such offence, forfeit the sum of twenty shillings, to be recovered and distributed in such manner as in and by this act is directed.

Clothiers, &c. shall pay their workmen in money.

Penalty 20s.

VII. And be it further enacted by the authority aforesaid, That all offences against this act shall be heard and determined by one or more justice or justices of the peace of the county, to be deter- mined by justice, tices.

Forfeitures,
one half to
the informer,
the other to
the poor.

Neglecting to
pay in 14 days,
may be levied
by distress and
sale.

If no distress,
committed to
house of cor-
rection for
3 months.

Prosecution in
30 days.

**Persons ag-
grieved may**
appeal to
quarter ses-
sions.

If sued, may
plead the ge-
neral issue,

and recover
treble costs.

city, or place where the same shall be committed, provided such justice or justices be not concerned in the matter of the said complaint, upon the oath of one or more credible witnesses or witnesses; which oath such justice or justices of the peace is hereby impowered to administer; and that all and every the said penalties, and forfeitures, which shall happen by virtue of this act, shall be the one moiety to the informer, and the other moiety to the poor of the parish, township, or place where the offence shall be committed; and in case any offender shall neglect or refuse to pay any such penalties and forfeitures by the space of fourteen days after the conviction for such offence, that then (and not before) it shall and may be lawful for the justice or justices of the peace before whom such conviction was made, and such justice or justices is and are hereby required to issue out one or more warrant or warrants, under his or their hands and seals, to the constable or constables of the parish, town, or place where such offender doth inhabit, or can be found, within the limits of his or their respective jurisdictions, to levy the same by distress and sale of the offender's goods, returning the overplus (if any be) to the offender; and where no sufficient distress can be found, to commit the offender to the gaol or house of correction for the county or corporation, to be kept to hard labour for such time as the justice or justices of the peace, before whom such conviction shall be made, shall direct, not exceeding, for any one offence, three months.

VIII. Provided always, That all offences committed against this act shall be prosecuted within thirty days next after the offences are committed or discovered.

IX. And be it further enacted, That if any person or persons find him or themselves aggrieved by any order or warrant made by any justice or justices of the peace, upon any conviction before him or them in pursuance of this act, such person or persons may appeal to the justices of the peace at the next general quarter sessions of the peace to be held for the county or places where such conviction shall be made, giving sufficient notice of such appeal; and if the justices at such next general sessions shall think fit to confirm or disannul the said order or warrant, they shall allow such costs and charges to the party grieved thereby, as they shall think reasonable, to be levied and paid in such manner as is usual in other cases of appeal from the orders of justices of the peace to the general quarter sessions.

X. And be it further enacted by the authority aforesaid, That if any action or suit shall hereafter be commenced or prosecuted against any person or persons by this act authorized to put the same in execution, all and every person and persons so sued, may plead the general issue, and give this act and the special matter in evidence; and if the plaintiff shall become nonsuited, or forbear further prosecution, or suffer discontinuance, or a verdict to pass against him, or judgment upon demurrer, the defendant or defendants shall recover his and their treble costs,

costs, for which he and they shall have like remedy as in cases wherein costs by law are given to defendants. And this act shall be taken and allowed a publick act in all courts within this kingdom, and all judges and justices are hereby required to take notice thereof as such, without special pleading of the same. Publick act.

XI. Provided always, That this act, or any thing herein contained, shall not be construed to extend to any cloth made or manufactured within the county of York, or to repeal or any wise invalidate any of the powers and authorities mentioned or contained in an act made in the seventh year of her present Majesty's reign, intituled, *An act for the better ascertaining the lengths and breadths of woollen cloth made in the county of York.* Not to extend to cloth made in Yorkshire, nor to invalidate the act of 7 Ann. c. 13.

Vide 1 Geo. 1 stat. 2. c. 15. for making this act more effectual.

CAP. XVII.

An act for the better collecting and recovering the duties granted for the support of the royal hospital at Greenwich, and for the further benefit thereof; and for the preserving her Majesty's harbour moorings.

WHEREAS by an act made in the seventh year of the reign of his late majesty King William the Third, intituled, *An act for the increase and encouragement of seamen, and also another act made in the eighth year of his said late Majesty's reign, intituled, An act to enforce the act for the increase and encouragement of seamen, there was given for the better support of the royal hospital founded at Greenwich by his said late Majesty, a duty of six pence per menssem, payable by all seamen; which acts have not proved sufficient for the due collecting the said duty: to the intent therefore that the said six pence per menssem may for the future be more effectually collected for the uses aforesaid, be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in parliament assembled, and by the authority of the same, That every seaman or other person whatsoever, that shall serve or be employed by her Majesty, her heirs or successors, or by any other person or persons whatsoever, in any of her Majesty's ships, or in any ship or vessel belonging or to belong to any of the subjects of Great Britain or Ireland, or dominions thereunto belonging, and every master or owner navigating or working in his own ship or vessel, whether employed upon the high sea or coasts of the same, or in any port, bay, or creek, (other than such apprentices, under the age of eighteen years, as are exempted from payment of six pence per menssem by an act made in the second year of her present Majesty's reign, and such person or persons as shall be employed in any boat upon any the coasts of Great Britain or Ireland in taking of fish, which are brought fresh on shore into Great Britain and Ireland, and every person and persons employed in boats or vessels that trade only from* 7 & 8. W. 3. c. 21.
8 & 9 W. 3. c. 23.
6d. per menssem shall be paid out of the wages of every seaman for the support of Greenwich hospital, by the master, &c.
Farther provisions relating hereto, 2 Geo. 2. c. 7. & 36.
Exceptions 2 & 3 Ann. c. 6. s. 7.

from place to place within any river of *Great Britain* and *Ireland*, or in any open boats upon the coasts of the same) shall pay, and there shall be allowed and paid by every such master, owner, seaman, or other person employed, or that shall be employed, the said six pence *per menssem*, or proportionably for a lesser time, during the time he or they shall be employed in, or belong to the said ship or vessel, for the better support of the said *Greenwich* hospital, and to augment the revenues thereof for the purposes herein mentioned.

The masters,
&c. may deduct the same.

II. And it is hereby declared, That the master, owner, or commander of every ship or vessel, not in her Majesty's service, is hereby impowered and required to deduct and detain, out of the wages, shares, or other profits payable or accruing to such seaman, or other person employed in his ship or vessel, the said duty of six pence *per menssem*, (other than for such apprentices and other persons as are before excepted) and shall pay the same to such officer or officers as shall on that behalf be appointed by the lord high admiral of *Great Britain*, or the commissioners for executing the office of lord high admiral of *Great Britain*, for the time being.

The admiralty
to appoint
receivers,
who may de-
pute the of-
ficers of the
customs to re-
ceive the duty.

III. And be it further enacted, That for the better levying and collecting the said duties of six pence *per menssem*, it shall and may be lawful for the lord high admiral of *Great Britain*, or for the commissioners executing the office of lord high admiral of *Great Britain*, for the time being, to appoint such person or persons, as he or they shall think fit, to be receiver or receivers of the said duty, and also to authorize such receiver or receivers to depute and appoint the collectors or other officers of her Majesty's customs of the several out ports of this kingdom, and of the ports of the kingdom of *Ireland*, or such other as he or they shall think fit, to collect and receive the same; and all the said collectors and officers of the customs, if so appointed, are hereby required to collect and receive the same, according to such instructions and directions as shall be, from time to time, sent to them in writing by the said receiver or receivers; and for the care and pains therein of the said collectors and other officers of the customs, and others, to be appointed to collect and receive the said duty, it shall and may be lawful for the lord high admiral, or commissioners executing the office of lord high admiral of *Great Britain*, for the time being, to make such allowance to them out of the said duties as he or they shall judge reasonable.

Receivers may
summon mas-
ters, &c. and
examine them
as to the num-
ber of seamen,
&c. See 2 Geo.
2. c. 7. s. 5.

IV. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said receiver and receivers, his or their deputy or deputies, for the time being, for the better discovery of what shall be due from the persons serving on board, or belonging to any merchant or private ship or vessel aforesaid, by warrant under his or their hands, to summon all such masters and commanders, or (in their absence) the owner or owners of such ships and vessels, not in her Majesty's service, to be and appear at the office of the said receiver

ceiver or receivers, his or their respective deputy or deputies, (so as the person so summoned be not obliged to travel above ten miles for the making such appearance) which said receiver or receivers, his or their respective deputy or deputies, are hereby impowered and directed to examine every such master and commander, or owner or owners, as to the number and times of service of all and every person or persons belonging to or employed in such ships or vessels, who are liable to, or chargeable with the said sum of six pence *per mensem*; and if such masters or commanders, or (in their absence) the owners, or any of them, shall refuse, when so summoned (not having a reasonable excuse) to appear before the said respective persons hereby impowered to examine them in manner as aforesaid, or if they shall appear, and obstinately refuse to make a full and true discovery of the matters aforesaid, upon their several oaths, (which oaths the said receiver or receivers, their deputy or deputies, are hereby impowered to administer) or shall neglect to pay the monies which shall be due to the said hospital, within fourteen days after they shall be cleared inwards by the officers of her Majesty's customs, that then, and in every such case, all and every such offender or offenders, for every such refusal or neglect, shall forfeit the sum of twenty pounds; one moiety whereof shall be to the use of the aforesaid hospital, and the other moiety to such person or persons as shall sue for the same, by action of debt, bill, plaint, or information, in any of her Majesty's courts of record, wherein no esoin, wager of law, or protection shall be allowed; and if a verdict shall pass for the plaintiff in any such action, bill, plaint, or information, then such plaintiff shall have and be allowed double costs; and if any such master or commander shall attempt to go to sea with his said ship or vessel before he hath duly accounted with and paid the said receiver or receivers the said duty for the voyage preceding, then and in such case, such receiver or receivers, or their deputies, are hereby impowered to stop such ship or vessel from proceeding to sea, till the said duty be paid; and upon the death or removal of any master or commander of any ship or vessel, the owner or owners shall deliver to the succeeding master a true account of the said duty due to the said hospital, as aforesaid, and money sufficient for the payment of the same to the receivers thereof, and in default thereof, such receiver and receivers, or their deputies, shall and lawfully may stop such ship or vessel from proceeding to sea, until the said duty shall be fully paid and satisfied.

V. Provided always, and be it further enacted by the authority aforesaid, That in all cases wherein by this act an oath is required or appointed to be taken, the solemn affirmation and declaration of the people called *Quakers* shall be accepted instead of such oath, in such manner and form as is directed in and by an act made in the seventh and eighth years of the reign of his said late majesty King *William the Third*, intituled, *An act that the solemn affirmation and declaration of the people called Quakers,* 7 & 8 W. 3. c. 34. shall

Masters, &c. refusing to appear, or to answer upon oath, shall forfeit 20l. One half to the hospital, the other to the prosecutor. Altered by 2 Geo. 2. c. 7. f. 7.

Master attempting to go to sea before the duty paid for the preceding voyage, receivers may stop the ship.

Quakers affirmation to be accepted instead of an oath.

Penalty of
false oath or
affirmation.

shall be accepted instead of an oath in the usual form; for and during the continuance of the said last recited act, and no longer; and if such *Quaker* shall refuse to make such solemn affirmation and declaration, in any case whereby any other person is hereby required to take an oath, he shall forfeit and be subject to the like penalties, as any other person refusing to take an oath is liable to by this act; and in case any such *Quaker* shall, upon such his solemn affirmation or declaration, affirm or declare any matter which shall be false; or if any other person shall, pursuant to the execution of this act, wittingly or willingly make a false oath, he or they so offending (being lawfully convicted thereof) shall suffer the like fines and punishments as other persons, being convicted of wilful perjury, are by the laws of this realm subject unto.

No contracts
by seamen
shall obstruct
the payment
of the duty.

VI. And whereas it is, and hath of late been the use and practice of divers masters or commanders, owners or part owners of divers outward bound merchant ships or vessels, to enter into, or sign a certain writing or contract, whereby the mariners debar themselves from their wages, until some certain time after the said ship or vessel's arrival from off the said voyage in the same port from which they did first put to sea, although the said ships or vessels do make delivering ports in foreign parts, whereby their wages would otherwise come due by law; be it therefore enacted by the authority aforesaid, That no such contracts, nor any other private contracts or agreements, made or entered into by any seaman or mariner, shall extend, or be construed to extend, in any ways to debar, obstruct, or delay the payment of the duties aforesaid, which by this or any other act are appropriated to the use of the said hospital.

A publick act.

VII. And be it further enacted by the authority aforesaid, That this act, and every part thereof, shall be taken and deemed to be a publick act; and if, at any time or times hereafter, any person or persons shall be sued for any matter or thing done in the execution of this act, such person or persons shall and may plead the general issue, and give this act and the special matter in evidence; and if upon trial the plaintiff shall become nonsuited, or a verdict shall pass for the defendant, the defendant shall recover treble costs of suit.

General issue.

Nor to extend
to hoys, &c.
employed in
bringing corn,
fish, &c. to
London.

VIII. Provided always, That nothing in this act do extend to oblige the payment of the six pence *per menssem*, by any masters, servants, or apprentices of the hoys, smacks, or other vessels belonging to the port of London, and employed within the North Foreland, in bringing corn, fish, or other provisions for the said port of London, during the time they shall be so employed; any thing in this act contained to the contrary notwithstanding.

6 Ann. c. 13.

IX. And whereas in and by one other act made at Westminster in the sixth year of her present Majesty's reign, intituled, An act for the better securing the trade of this kingdom by cruizers and convoys, amongst other things therein contained, it is enacted, That after the sale or sales of such prize or prizes as shall be taken from the enemy, publick notification should be given by the persons or agents appointed

pointed for the payment of the several shares to the captors; after which publick notification, if any shares shall remain in the hands of the persons or agents appointed, as by the said act is directed, either belonging to such men as shall die or run from the service, or such as shall not legally be demanded within three years, then such share or shares so remaining in the persons or agents hands, shall go to, and be paid to the use of Greenwich hospital: in which said act it is likewise, amongst other things, further enacted and declared, That as well the bill or bills to be made out for the value of such prize or prizes that shall be taken into her Majesty's service, as the bill or bills to be made out for the bounty thereby granted to the commanders, officers, seamen, and others, for taking any of the enemies ships of war or privateers, shall be made payable to such person or persons as shall be authorized and appointed to appraise or dispose of such prize so taken from the enemy, by the commander, and by the majority of the officers, and the major part of such ships company, and others as shall have taken the same, to be distributed and divided by the said person or persons, so authorized and appointed, amongst the captors, in such manner, form, and proportion as is thereby directed; the several shares of which captors (if not legally demanded within three years after publick notification) shall go to the use of Greenwich hospital: in which said act, no sufficient provision being made to oblige such agents or other persons to discover or duly to account for the monies remaining in their hands due to the said hospital: Now for the better and more effectual preserving and securing all such interests and shares so given and granted by the said act, to and for the use of the said hospital, and for the better and more certain collecting the same; be it therefore enacted by the authority aforesaid, That all and every person and persons, agent and agents, and others who hath sold or disposed of, or shall hereafter sell or otherwise dispose of any such prize or prizes so taken, or that shall hereafter be so taken from the enemy, shall within the space of three calendar months next after the first payment or distribution to the captors of such prize or prizes, made in pursuance of such publick notification, make out, transmit or deliver unto the treasurer of the said royal hospital at Greenwich, for the time being, or to such person or persons as he shall for that purpose depute or appoint, a true state and account of the produce of such prize and prizes, together with an account of the payments of the several shares to the captors, as shall then have been really and *bona fide* by him or them paid; and also that all and every person and persons authorized and appointed by the said act to receive bills for the value of such prize ship or ships as are or shall be taken into her Majesty's service, in pursuance of the said act, and all and every person and persons authorized and appointed to receive bills for the bounty granted by the said act, shall, within the like space of three calendar months, next after the first payment or distribution of such bills, for the value of such prize ships, taken into her Majesty's service, and of the bills for bounty, as aforesaid, in like manner make out, transmit, or deliver to the treasurer for the time be-

All persons disposing of, prizes, or appointed by the recited act to receive bills for the value of prize ships, or for the bounty granted by that act; and also persons disposing of any prize taken by ships of war, shall respectively in three months deliver to the treasurer of Greenwich hospital accounts thereof, &c.

ing of the said hospital, or to his sufficient deputy, a true state and account of the payment and distribution of such bills; and further, That all and every person and persons, agents, and others, that by virtue of the said act hath sold and disposed of, or that shall hereafter sell or dispose of any prize or prizes taken from the enemy, or that shall at any time hereafter be taken from the enemy by any of her Majesty's ships of war or privateers, or that shall receive and dispose of any bill or bills for the value of such prizes as shall be taken into her Majesty's service, or bills for bounty, such person and persons, agents and others, so selling or disposing thereof, shall, within the space of three calendar months next after the expiration of the term of three years, limited by the said act, make out an exact account of the produce of such prize or prizes, and bills for bounty, as also for the payments of the several shares to the respective captors, together with a true and just account upon oath of all such sum or sums of money as shall be then remaining in such agent or person's custody, power, or possession; and shall at the same time deliver, or cause to be delivered to the treasurer of the said hospital, for the time being, or to his sufficient deputy or agent, the said accounts so attested upon oath, as aforesaid, together with all such remaining sum and sums of money then so left and remaining in his or their hands, as aforesaid, taking his or their acquittances for the same.

The person neglecting to transmit such accounts shall forfeit rool. to the said hospital.

X. And be it further enacted, That all and every the person and persons hereby directed to transmit or deliver all or any the accounts before mentioned, who shall neglect or refuse to transmit or deliver all or any such account or accounts, within the times before limited or appointed, in such manner and form as is herein before mentioned, or who shall neglect or refuse to pay over all and every such sum and sums of money as shall remain in his or their hands, power, custody, or possession, after the term of three years, to be accounted, as aforesaid, shall, for every such offence, forfeit and pay to the use of the said royal hospital the sum of one hundred pounds, to be recovered, with costs of suit, by action of debt, bill, plaint, or information, in any court of record, in which no effoin, protection, privilege, or wager of law, nor more than one imparlance shall be allowed.

Persons convicted of fraud in stating accounts to forfeit rool. One half to the hospital, the other to the prosecutor.

XI. And be it further enacted. That if any fraud, collusion, or deceit shall be wittingly or willingly made, used, committed, permitted, done, or suffered, in the making, stating, or balancing any such accounts, then every person or persons, who shall be thereof duly convicted, and his and their aiders and abettors, shall forfeit and pay, for every such offence, over and above the penalties and punishments to be inflicted by any other or former law, the sum of one hundred pounds; one moiety whereof to be to the use of the said hospital, and the other moiety to the informer who shall sue for the same, to be recovered, with costs of suit, by action of debt, bill, plaint, or information;

information, in any court of record, in which no essoin, protection, privilege, or wager of law, nor more than one imparlance shall be allowed.

XII. *And whereas her Majesty by her most gracious declaration for encouragement of her ships of war and privateers, bearing date the first day of June, one thousand seven hundred and two, was pleased to direct, That in case any of her ships of war, or merchant ships employed in her service, or any private man of war, should take in fight, sink, fire, or by any other means destroy any ship of war, or private man of war belonging to, or in the service of the enemy, they should have, as a reward for such service, for each piece of ordnance, whether iron or brass, in any ship of war, or private man of war, so taken or destroyed, ten pounds, to be paid out of her Majesty's share of prizes, and to be shared and divided as in the said declaration is specified: and whereas the flag officers, captains, and other officers, and companies of several of her Majesty's ships of war, did take and destroy several ships of war and privateers belonging to, or in the service of the enemy, before the commencement of the said act of parliament passed in the sixth year of her Majesty's reign, and thereby became entitled to such reward, as aforesaid, by virtue of the said declaration; but no money remaining of her Majesty's share of prizes in the receivers hands, they are like to be deprived of the benefit of her Majesty's said gracious intention of rewarding such service, unless some provision be made by parliament for supplying the same: and whereas the sums of six thousand pounds, and one thousand two hundred pounds, part of the money remaining due to the several captors for their shares of prizes, by virtue of the said declaration, have been paid by the receiver or receivers of prizes into the receipt of the Exchequer, where the same lie uncalled for, though publick notice for payment thereof hath long since been published in the Gazettes; and it being requisite that some certain time should be limited for the captors to make their claims to their shares of prizes, by virtue of the said declaration, and in default thereof to be barred the same, in order to have the accounts of such shares finally adjusted, and that so much thereof as shall remain uncalled for within such limited time, may be applied to and for the uses and purposes herein after mentioned; be it therefore enacted by the authority aforesaid, That as to such shares belonging to any captors of prizes, by virtue of the said declaration, of the day appointed for the payment whereof publick notice hath been given in the Gazette for three years or more since past, and which shall not be legally demanded before the twenty fifth of December, one thousand seven hundred and twelve, such captors, their executors, administrators, and assigns, shall, from and after the said twenty fifth day of December, one thousand seven hundred and twelve, be for ever barred from all right and claim to the same; and as to any other shares belonging to any captors, as aforesaid, if the said shares shall not be legally demanded on or before the twenty fifth day of March, one thousand seven hundred and thirteen, such captors, their executors, administrators, and assigns, shall then be for ever barred from all right and claim to the same.*

Clause for limiting a time for captors to demand their shares.

Treasury may order the 6000 l. and 1200 l. remaining in the Exchequer, to be paid to the treasurer of the hospital.

XIII. *And whereas there are remaining in the hands of the said receivers several sums of money which may probably be sufficient to answer all demands of captors, and also to pay the said rewards, given, and besides the said sums of six thousand pounds, and one thousand two hundred pounds, paid into the receipt of the Exchequer, as aforesaid, which said last mentioned sums may be presently applied for the benefit of the said hospital; be it therefore enacted by the authority aforesaid, That the lord high treasurer of Great Britain, or the commissioners of the treasury for the time being, shall and may, and are hereby authorized and directed to order the payment of the said sums of six thousand pounds, and one thousand two hundred pounds, to be forthwith issued and paid to the treasurer of the said hospital, to be by him applied to the uses and purposes herein after mentioned; and as to all the monies which now is or hereafter shall be in the hands of any receiver or receivers of prizes, or persons appointed for the same, their executors or administrators, belonging to any captors for their shares of prizes, by virtue of the said declaration, the same shall be issued and applied in the first place for or towards the payment of the captors, who shall demand the same within the respective times aforesaid; and after the payment of such captors, then after the twenty fifth day of *March*, one thousand seven hundred and thirteen, shall be issued and applied for or towards the payment of the rewards before mentioned, in such proportions as by the said declaration is directed, to and among the flag officers, captains, and other officers and companies of her Majesty's said ships, their executors or administrators, entitled thereunto, as aforesaid, if the same shall be decreed unto them by the high court of admiralty: and lists of the ships which shall be entitled to such reward by such decree, shall be transmitted to the receiver or receivers of prizes before the twenty ninth day of *September*, one thousand seven hundred and twelve, and be by them afterwards claimed of the receiver or receivers of prizes before the twenty fifth day of *December*, one thousand seven hundred and twelve; and publick notice is hereby directed to be given in the *Gazette* by the receiver or receivers of prizes, or persons appointed for the same, within fourteen days after the royal assent shall be given to this bill, of the respective times appointed for the captors, and the persons entitled to such rewards, as aforesaid, to make their respective claims; and the surplus of the said monies, after the payment of such rewards, or so much of the same as shall be legally demanded, as aforesaid, shall immediately after the times before limited for such demand, be issued and paid to the use of the said royal hospital at *Greenwich*; such allowances being first made out of the said surplus for the necessary charges of officers attending for payment of such captors on recals, not exceeding in the whole the sum of six hundred pounds, as to the lord treasurer, or commissioners of the treasury for the time being, shall seem reasonable; any thing in the said declaration, or any other matter or thing to the contrary hereof in any wise notwithstanding.*

XIV. Pro-

How the monies remaining in the hands of the receivers of prizes shall be applied.

XIV. Provided always, and be it enacted and declared by the authority aforesaid, That the sum and sums of money so to be paid and distributed to and amongst the said claimers, for and towards satisfaction of such rewards, shall not exceed the sum of four thousand pounds; and in case it shall so happen that the several sums so decreed and demanded for such rewards, at or before the five and twentieth day of *December*, one thousand seven hundred and twelve, shall amount in the whole to more than four thousand pounds, then in such case the said sum of four thousand pounds shall be divided and distributed to and amongst the said several claimers, by way of average, in proportion to their respective interests and demands, which is and shall be in full recompence, discharge, and satisfaction of their said claims of such rewards from her Majesty; which said average and proportion shall be made up and adjusted by the receiver of the prizes, or person appointed to receive the same, by the twenty fifth day of *March*, one thousand seven hundred and thirteen, who shall from thence forthwith pay such monies as shall be due for such rewards.

The sums to be paid to the claimers of rewards, not to exceed 4000 l. and if the money claimed amount to more, the 4000 l. shall be distributed by way of average. By 12 Annæ, cap. 2. c. 9. f. 56. Lists are to be made of the persons entitled to rewards, &c.

XV. Provided also, That in case any person or persons, who are or shall be entitled to receive any money for or upon account of such rewards, as aforesaid, shall not himself, or by his lawful attorney, come to such receiver, or person or persons appointed to pay the same, to receive such money, before the twenty fourth day of *June*, one thousand seven hundred and thirteen, then every such person and persons shall from thenceforth be barred and excluded from any right to any such money.

Persons entitled to rewards, not coming to receive them before 24 June, 1713, shall be excluded.

XVI. Provided also, and be it further enacted, That from and immediately after the said twenty fifth day of *March*, one thousand seven hundred and thirteen, the receiver and receivers of prizes, and person and persons appointed to receive the same, shall pay to the treasurer of the said hospital, for the use of the said hospital, all and every such sum and sums of money as shall be then remaining in his or their hands of the captors money, over and above the said sum of four thousand pounds, if the whole shall be decreed and claimed by the time before limited, and also over and above such sum and sums of money as shall be necessary for defraying the charges of attending and making such payments, as aforesaid, (not exceeding the sum of six hundred pounds before mentioned) to be paid in such manner as the lord high treasurer of *Great Britain*, or commissioners of the treasury for the time being, shall order and direct; and also, that from and immediately after the said twenty fifth day of *December*, one thousand seven hundred and twelve, such receiver and receivers of prizes, and person or persons appointed to receive the same, shall pay to the treasurer of the said hospital, for the use of the said hospital, all and every such sum and sums of money of the said four thousand pounds, as shall not before that time be decreed and claimed for such rewards; and also shall, from and immediately after the said twenty fourth day of *June*,

After 25 March, 1713. Receiver of prizes shall pay the treasurer all the captors money in his hands above 4000 l.

And after 25 Dec. 1712. so much of the said 4000 l. as shall not be then claimed.

that shall not
be then de-
manded.

one thousand seven hundred and thirteen, pay to the treasurer of the said hospital, for the use of the said hospital, all and every such sum and sums of money of the said four thousand pounds, as shall not before that time be demanded to be paid, as aforesaid, by the person entitled thereto, or by his lawful attorney.

Any other money due to captors, in the receivers hands, after 25 March, 1713. shall be paid to the treasurer for the use of the hospital.

The treasurer shall pay the money, as directed by the commissioners of the hospital.

How the captors to be paid if the receiver has not sufficient.

Money in receivers hands during the reign of W. 3. not demanded before 24 June, 1712. shall be paid to the treasury for the use of the hospital.

XVII. Provided likewise, That in case any other monies due to captors, by virtue of her Majesty's said declaration, shall be received by such receiver or receivers, or person or persons appointed to receive the same, or shall come to, or be in the hands of any other person or persons, at any time after the said twelfth day of March, one thousand seven hundred and thirteen, the same shall be paid to the treasurer of the said hospital for the time being, for the use of the said hospital.

XVIII. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the treasurer of the said hospital, to pay and dispose of so much of the said monies as shall be paid unto him, as aforesaid, for the use of the said hospital, as the commissioners for the said hospital at their general court shall order and direct; which order or orders of the said court shall be a good and sufficient discharge to the said treasurer for all monies so by him paid, against all persons whatsoever; and in case there shall not be money enough in the hands of the receiver and receivers of prizes, and the person or persons appointed to receive the same, to pay the said captors rewards, and the said charges of attending and making such payments, as aforesaid, That then it shall and may be lawful for the said treasurer, or any other treasurer of the said hospital for the time being, and such treasurer is hereby authorized and required out of such monies, to pay all such money as shall be deficient for the purposes aforesaid, or any or either of them, to the receiver of prizes, or other person appointed for the receiving prizes, out of the revenues of the said hospital, which shall be, and are hereby charged with, and made liable to the payment of the same, so as the said hospital be not charged with more than the said sums of six thousand pounds, and one thousand two hundred pounds, to be received, as aforesaid, out of the Exchequer.

XIX. And whereas considerable sums of money may be remaining in the hands of the receiver or receivers of prizes, or persons appointed for the same, during the reign of his late majesty King William the Third, their executors or administrators, belonging to several captors in the service of his said late Majesty, for their shares of prizes taken during the reign of his said late Majesty, which have not been lately called for, or demanded in all this time; and it will therefore be fit that the same should be discharged, and some disposition made thereof: be it further enacted by the authority aforesaid, That all such monies as shall be so remaining, as aforesaid, in the hands of any receiver or receivers of prizes, or persons appointed for the same, their executors or administrators, shall be paid on or before the twenty fourth day of June, one thousand seven hundred and twelve, to the treasurer of the said hospital, to be applied

applied to the use of the said hospital; and such receiver or receivers of prizes, or persons appointed for the same, their executors and administrators, are hereby required and authorized to pay the same accordingly; and the said several captors, their executors, administrators, and assigns, are hereby barred from all right and claim thereunto.

XX. *And whereas no seamen have hitherto been admitted into the said hospital, but such only as have served in the royal navy, notwithstanding great sums have been constantly paid towards the support of the said hospital from the wages of seamen employed in merchants service;* Who may be admitted into the hospital.

he it therefore enacted by the authority aforesaid, That the lord high admiral of Great Britain, the commissioners of the admiralty for the time being, or whoever else shall, from time to time, have power to direct the admission of any seamen into the said hospital, shall consider, as being fully qualified for an admission into the said hospital, any seaman, who shall offer himself to be admitted, and who shall produce an authentick certificate of his having been wounded, maimed, or hurt in defending any ship belonging to the subjects of her Majesty, against the enemies of her Majesty, her heirs or successors, or in taking any ship from the enemy, and thereby disabled for sea service; any law, custom, usage, or order to the contrary thereof in any wise notwithstanding.

XXI. *Whereas it is become a common practice, that merchants ships and vessels carrying merchandize, do very often stop and ride at the moorings appointed and laid out for the use of her Majesty's ships and vessels, and at her Majesty's ships and hulks in harbour, near and adjoining to her Majesty's dock yards, store-houses and magazines, such merchant or trading ships or vessels not being forced thereto by any necessity or want of tide, by which means her Majesty's ships, vessels, and magazines are subjected to accidents by fire, and other damages, through the carelessness of the persons left on board such merchant ships, as well as to charges, by weakening and wearing the moorings; and the persons left on board such merchant ships, by their long staying at such moorings, have great opportunities of running of goods and imbezilling her Majesty's naval stores: for prevention whereof, be it therefore enacted by the authority aforesaid, That if any merchant ship, or any other ship or vessel, not being one of her Majesty's ships of war, or belonging to her Majesty's royal navy, or employed in her Majesty's service, or such ships as shall come to deliver stores into her Majesty's yards, during their delivery thereof, shall stop or fasten to any of her Majesty's moorings, or fix themselves to any of her Majesty's ships or hulks, the captain, master, commander, or person, having the care or command of such merchant ship or vessel, that shall be then on board, shall forfeit and pay the sum of ten pounds for each and every tide such merchant ship or vessel shall stay at the said moorings, unless it shall appear that such merchant ship or vessel was necessitated so to do, by want of tide, stress of weather, or other unavoidable accident; one moiety of which forfeiture shall be to the use of the aforesaid hospital, the other moiety thereof to the use of* If any ship not belonging to the royal navy shall fasten to the captain's moorings, &c. shall forfeit 10l. for every tide he stays at the said moorings, unless necessitated so to do by stress of weather, &c.

One moiety to the use of the hospital,

the other to
the prosecutor.

him or them that shall sue for the same, together with costs of prosecution, to be recovered by action of debt, bill, plaint, or information, in any of her Majesty's courts of record at *Westminster*, wherein no esoin, privilege, protection, wager of law, injunction, or more than one imparlance shall be allowed.

Upon neglect
to unloose, up-
on notice giv-
en for 24
hours, her
Majesty's offi-
cers may un-
loose such ship
from the
moorings.

XXII. And it is hereby further enacted and declared by the authority aforesaid, That upon notice given to the person commanding on board such merchant ship or vessel, or under whose care the same shall then be, by any officer or officers belonging to any of her Majesty's ships of war, docks or yards, as aforesaid, to unloose from the said moorings, upon neglect or refusal thereof for the space of twenty four hours, it shall and may be lawful to and for every such her Majesty's officer and officers, to unloose such merchant ship or vessel from the said moorings.

CAP. XVIII.

An act to give further time for inrolling such leases granted from the crown, as have not been inrolled within the respective times therein limited; and for making the pleading of deeds of bargain and sale inrolled, and of fee farm rents, more easy.

WHEREAS several leases or grants have been made by her Majesty, or her royal predecessors, under her or their great seals, or under the Exchequer seal, the seals of the duchy and county palatine of Lancaster, or some of them, of several manors, messuages, lands, woods, tenements, tithes, profits, and other hereditaments, within that part of Great Britain called England, Wales, and the town of Berwick upon Tweed, to take effect in possession, reversion, or expectancy, or by way of future interest, for one, two, or three lives now in being, or for some term or terms of years, determinable upon one, two, or three lives now in being, or for some certain term or terms, not exceeding fifty years, to take effect from the date or making thereof, or for such other estate or term as (together with the estate or estates in possession of and in the premises so leased or granted respectively) was not to exceed three lives, or the term of fifty years, from the date or making of every such particular lease or grant: and whereas there are several provisoes, conditions, or covenants inserted in the said several leases, or some of them respectively, importing that the same should be inrolled before the proper auditor of each county within a time limited in that behalf, to the end the rents or duties thereby reserved or payable might be put in charge, and duly answered and paid, or performed: and whereas notwithstanding the said provisoes, conditions, or covenants in the said leases, yet several of the lessees or farmers therein named, or those claiming under them, have omitted and neglected inrolling, or causing to be inrolled, their said leases, within the respective times limited for that purpose, as aforesaid, whereby the said rents or duties are not only in likelihood of being lost, but the leases are for that cause void or voidable, or the lessees, or those claiming under them, are liable to payments *Nomine pœnæ*, or other penalties or damages; now to the end the said lessees,
and

and the persons claiming under them, may be relieved in the premises, and that the rents due and reserved upon such leases may hereafter be duly put in charge, answered and satisfied, her Majesty is graciously pleased that it may be enacted; and be it enacted by the Queen's most excellent majesty, by and with the advice and consent of All persons the lords spiritual and temporal, and commons, in this present having before parliament assembled, and by the authority of the same, That 3 March, 1711. That all and every person and persons, bodies politick and corporate, omitted to inrol leases made by the crown, having at any time or times before the third day of March, one thousand seven hundred and eleven, made such default or omission of inrollment of any such lease or leases, as aforesaid, or 3 March, 1712. any person or persons claiming or pretending any right, title, or cause them to interest under them, or any of them, shall and may, on or before the third day of March, which shall be in the year of our Lord one thousand seven hundred and twelve, bring, or cause to be brought, such lease and leases to the proper auditor to be inrolled, who is hereby authorized and required to inrol the same, and to put the rents thereupon reserved in charge, as if such lease or leases had been brought to be inrolled within the respective times thereby limited in that behalf; and that in every such case, the lease so inrolled within the said time limited by this act, shall upon such inrollment thereof, and payment of all arrears of rent then due thereupon (and not otherwise) be adjudged to continue and have its being, as if no forfeiture, or cause of forfeiture (for want of inrollment only) had been had or made; and the lessee or lessees in every such lease so inrolled pursuant to this act, and all persons claiming under them respectively, shall be, and is and are hereby exonerated and discharged of and from all penalties and damages which might be occasioned for want of such inrollment; any law, custom, or usage to the contrary notwithstanding.

II. Provided always, That nothing in this act contained shall extend to affirm or give continuance or being to any lease or leases, which in any court of law or equity have been adjudged or decreed to be forfeited or avoided for want of such inrollment, as aforesaid; any thing herein contained to the contrary notwithstanding. This act shall not continue any lease adjudged to be forfeited.

III. And for supplying a failure in pleading or deriving the title to lands, tenements, or hereditaments, conveyed by deeds of bargain and sale, indented and inrolled according to the statute made in the twenty seventh year of the reign of King Henry the Eighth, for inrollment of bargains and sales, where the original indentures of bargain and sale, to be shewed forth or produced, are wanting, which often happens, especially where divers lands, tenements, or hereditaments, are comprized in the same indenture, and afterwards derived to different persons; be it further enacted by the authority aforesaid, That where in any declaration, avowry, bar, replication, or other pleading whatsoever, any such indenture of bargain and sale inrolled, shall be pleaded with a *Profert in Curia*, or offer to produce the same, the person or persons so pleading, shall and may produce and shew forth, and be suffered and allowed to produce If a bargain and sale be pleaded, a copy thereof signed by the proper officer, and proved on oath, shall be of the same effect as if the original indenture had been produced. 27 H. 8. c. 16.

and shew forth, by the authority of this act, to answer such Profer, as well against her Majesty, her heirs and successors, against any other person or persons, a copy of the inrollment of such bargain and sale; and such copy examined with the inrollment, and signed by a proper officer, having the custody of such inrollment, and proved upon oath to be a true copy, so examined, and signed, shall be of the same force and effect, to all intents and constructions of law, as the said indentures of bargain and sale were and should be of, if the same were in such case produced and shewn forth.

Where any fee farm rents, sold pursuant to the acts 22 Car. 2. c. 6. & 22 & 23 Car. 2. c. 24. are described in any deed, &c. as they were in the indentures of bargain and sale by the trustees, such descriptions shall serve in pleading the titles.

IV. And for as much as the fee farm rents, and other rents purchased under an act of parliament made in the twenty second year of the reign of King Charles the Second, intituled, An act for the advancing the sale of fee farm rents, and other rents, and one other act made in the twenty second and twenty third years of the same reign, intituled, An act for vesting certain fee farm rents, and other small rents in trustees, cannot always be so fully and particularly described, as may be requisite for conveying or pleading the same: for the better deriving and pleading the title to such rents, from the trustees appointed for selling thereof, pursuant to either of the said acts, and clearing all doubts relating to the naming or describing thereof; be it enacted and declared by the authority aforesaid, That where any rent or rents, intended by the said acts, or either of them, to be sold, and sold pursuant thereto, is, are, or shall be named or described in any deeds, fines, recoveries, or other assurances, or in any declaration, bar, avowry, replication, or other pleading whatsoever, by such or the like names or descriptions, as the same were named or described by in the indentures of bargain and sale made by the trustees for sale thereof, pursuant to the said acts, or either of them, such names or descriptions may serve, and are and shall be sufficient for the conveying, deriving, or pleading the title to such rent or rents from or under the said trustees, and shall be at all times deemed, judged, and allowed so to be, in all courts of law, or elsewhere.

Not to extend to rent which has not been paid in 20 years.

V. Provided always, That nothing in this act contained, shall extend to give or allow any benefit or advantage in pleading or deriving title to any rent which hath not been paid or levied within twenty years next before the time of such pleading or deriving title to the same.

CAP. XIX.

An act for laying several duties upon all sops and paper made in Great Britain, or imported into the same; and upon chequered and striped linens imported; and upon certain silks, callicoes, linens, and stuffs, printed, painted, or stained; and upon several kinds of stamp vellum, parchment, and paper; and upon certain printed papers, pamphlets, and advertisements; for raising the sum of eighteen hundred thousand pounds by way of lottery towards her Majesty's supply; and for licensing an additional number of hackney chairs; and for charging certain stocks of cards and dice; and for better securing her Majesty's duties to arise in the office for the stamp duties by licences for marriages and otherwise; and for relief of persons who have not claimed their lottery tickets in due time, or have lost Exchequer bills, or lottery tickets; and for borrowing money upon stock (part of the capital of the South Sea company) for the use of the publick.

MOST gracious Sovereign, we your Majesty's most dutiful and loyal subjects, the commons of Great Britain, in parliament assembled, finding it absolutely necessary to raise large supplies of money to carry on the present war, until your Majesty shall be enabled to establish a good and lasting peace, and for defraying your Majesty's other extraordinary expences, have, for those ends and purposes, given and granted, and do by this act give and grant to your Majesty the several and respective rates and duties for and upon all sops made in Great Britain, or imported into the same; and for and upon all paper made in Great Britain, or imported into the same, and for and upon all the chequered and striped linens to be imported into Great Britain; and for and upon certain silks, callicoes, linens, and stuffs, printed, painted, stained, or dyed, as are herein after mentioned; and for and upon such stamp vellum, parchment, and paper, and other things, as are hereafter in this act more particularly described; for and during such term and terms of years, and in such manner and form, as are herein after expressed: and we do most humbly beseech your Majesty, that it may be enacted; and be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That there shall be raised, levied, collected, and paid, unto and for the use of her Majesty, her heirs and successors, for and upon all sops which, at any time or times within or during the term of thirty two years, to be reckoned from the tenth day of June, one thousand seven hundred and twelve, shall be imported or brought into the kingdom of Great Britain, (over and above all customs, subsidies, and duties already imposed thereupon) the sum of two pence for every pound weight, consisting of sixteen

For the appropriation of the surplus arising from this act. See Annæ. c. 116.

From 10 June, 1712. All sops imported, to pay 2 d. per lb. for 32 years. Made perpetual by 3 Geo. 1. c. 7. s. 1.

All ſope made
in Great Bri-
tain to pay 1d.
per lb.

ounces *averdupois*, and after that rate for a greater or leſſer quantity, to be paid down in ready money by the importers thereof from time to time, before the landing of the ſame, and that there ſhall be raiſed, levied, collected, and paid, unto and for the uſe of her Majeſty, her heirs and ſucceſſors, for and upon all ſope of what kind ſoever which at any time or times within or during the ſaid term of thirty two years, ſhall be made within the ſaid kingdom of *Great Britain*, the ſum of one penny for every ſuch pound weight *averdupois*, and after that rate for a greater or leſſer quantity, the ſame to be paid by the makers thereof reſpectively.

Sope landed
before entry,
&c. forfeited
or the value.

II. And be it enacted by the authority aforeſaid, That in caſe any of the ſaid imported ſope ſhall be landed or put on ſhore out of any ſhip or veſſel, before due entry be made thereof at the cuſtom-houſe in the port or place where the ſame ſhall be imported, and before the duties by this act charged or chargeable thereupon, ſhall be duly paid, or without a warrant for the landing or delivering the ſame, firſt ſigned by the commiſſioners, collectors, or other proper officer or officers of the cuſtoms reſpectively, that all ſuch imported ſope, of what kind ſoever, as ſhall be ſo landed or put on ſhore, or taken out of any ſhip or veſſel, contrary to the true meaning hereof, or the value of the ſame, ſhall be forfeited, and ſhall and may be ſeized or recovered of the importer or proprietor thereof; to wit, one moiety of the ſame to the uſe of her Majeſty, her heirs and ſucceſſors, and the other moiety to the uſe of ſuch perſon or perſons as will ſeize, inform, or ſue for the ſope ſo imported and forfeited, or the value thereof, in any her Majeſty's courts of record at *Weſtmiſter*, or in her Majeſty's court of ſeſſion, court of juſticiary, or court of Exchequer in *Scotland* reſpectively, by action, ſuit, bill, or information, wherein no eſſoin, protection, or wager of law ſhall be allowed.

One moiety to
the crown, the
other to the
ſeizor, &c.

How theſe du-
ties ſhall be
raiſed.

III. And be it further enacted by the authority aforeſaid, That the ſaid duties upon imported ſope, by this act granted, during the continuance thereof, ſhall be aſcertained, ſecured, raiſed, levied, recovered, and answered, for the uſes and purpoſes in this act expreſſed, by ſuch rules, ways, means, and methods, and under ſuch penalties and forfeitures, and in ſuch manner and form, as the preſent duties upon ſope imported, or any of them, are by any law or ſtatute now in force to be aſcertained, ſecured, levied, raiſed, recovered and answered, during the continuance thereof reſpectively.

Duties on ſope
imported to be
under the ma-
nagement of
the commiſ-
ſioners of the
cuſtoms.

IV. And be it enacted and declared by the authority aforeſaid, That ſuch of the duties impoſed by this act upon imported ſope, as ſhall ariſe in *England*, *Wales*, and the town of *Berwick* upon *Tweed*, ſhall be under the management of the commiſſioners and officers of the cuſtoms in *England* for the time being; and ſuch of the duties impoſed by this act upon imported ſope, as ſhall ariſe in *Scotland*, ſhall be under the management of the commiſſioners and officers of the cuſtoms in *Scotland* for the time being; and that the reſpective receivers general of the cuſtoms

ſhould

oms in *England* and *Scotland* for the time being, shall, from time to time, pay or cause to be paid, all the monies that they respectively shall receive of the said duties for imported sope (the necessary charges of raising and accounting for the same excepted) into the receipt of her Majesty's Exchequer in *England*, distinctly and apart from all other branches of the publick revenues, for the purposes in this act expressed, and under the like penalties, forfeitures, and disabilities as are to be inflicted by this act, for diverting or misapplying any monies by this act appropriated or appointed for any the purposes herein after mentioned.

V. And for the better ascertaining, charging, and securing the duties by this act set and imposed upon all sorts of sope made in *Great Britain*, during the term aforesaid, according to the true meaning of this act, and for preventing of frauds concerning the same; be it further enacted by the authority aforesaid, That such commissioners or persons as her Majesty, her heirs or successors, or the high treasurer of *Great Britain* now being, or the high treasurer of *Great Britain*, or any three or more of the commissioners of the treasury for the time being, shall, from time to time, by one or more commission or commissions for that purpose appoint, shall be her Majesty's commissioners for the receipt and management of the said duties by this act set and imposed upon all the sope made within *Great Britain* chargeable by this act; which said commissioners, or the major part of them respectively, shall and have hereby power, by commissions under their respective hands and seals, to substitute and appoint under them such receivers general, collectors, comptrollers, surveyors, and other officers, as shall be requisite and necessary for the purposes aforesaid; and that the said commissioners so to be appointed, and all the officers for the said duties on sope, shall have out of the same such salaries and rewards for their respective services, in relation to the same duties, as the said high treasurer now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, shall think reasonable to establish or allow in that behalf; and that the respective commissioners for the said duties on sope to be made in *Great Britain*, for the time being, shall, from time to time, cause all the monies to arise by or for the said duties on sope to be made in *Great Britain*, during the term aforesaid, (the necessary charges of managing, collecting, raising, paying, and accounting for the same excepted) to be paid, from time to time, as the same shall arise, into the receipt of her Majesty's Exchequer in *England*, under the penalties, forfeitures and disabilities herein after expressed.

VI. And it is hereby enacted by the authority aforesaid, That Sope-makers all and every person or persons whatsoever, who, on or before the tenth day of *June*, in the year of our Lord one thousand seven hundred and twelve, shall make any sope in *Great Britain*, for sale or not for sale, shall, on or before the same tenth day of *June*, one thousand seven hundred and twelve, give notice in writing

Her Majesty
or treasury to
appoint com-
missioners for
sope made in
Great Britain.

Which com-
missioners
may appoint
such receivers
general, &c.

The money
arising by this
duty to be
paid into the
Exchequer.

before 10 June,
1712. to give
notice at the
office of their
names, and
boiling-
houses, &c.

and of all their
coppers, kettles,
&c.

writing at the office for the said duties on sope next to the place where such sope shall be made, of their respective names, and of every boiling-house, work-house, store-house, ware-house, shop, room, and other place by him, her, or them respectively made use of for the making, or keeping of such sope, or for the boiling or keeping any oil, tallow, pot-ash, lime, or other materials proper to be made into sope; and also of all coppers, kettles, furnaces, fats, cisterns, troughs, or other vessels used in the boiling or making of sope; and that from and after the said tenth day of *June*, one thousand seven hundred and twelve, during the continuance of the said duties upon sope, no maker of sope shall erect, set up, alter, change, enlarge or make use of any boiling-house, work-house, ware-house, store-house, shop, room, or other place for the making or keeping of sope, or for the boiling or keeping any oil, tallow, pot-ash, lime, or other materials proper to be made into sope, or use any copper, kettle, furnace, fat, cistern, trough, or other vessel for the boiling or making of sope, without first giving notice thereof in writing, or unless notice thereof shall have been before given in writing at the next office, as aforesaid; and if any maker of sope shall erect, set up, alter, enlarge, or make use of any boiling-house, work-house, ware-house, store-house, shop, room, or other place for the making or keeping of sope, or for the boiling or keeping any oil, tallow, pot-ash, lime, or other materials proper to be made into sope, or shall use any copper, kettle, furnace, fat, cistern, trough, or other vessel for the boiling or making of sope, without giving such notice thereof, as aforesaid, contrary to the true meaning of this act, then, and in every such case, the offender therein, for every such offence, shall forfeit and lose the sum of fifty pounds.

on forfeit
of 50.

Statute house
for working
sope

* In the former
edition: it is
fifty.

The contents
of a barrel, &c.
of sope.

10 Annæ, c. 26.
f. 111.

Sope-makers
within the
weekly bills to
enter at the
office month-

VII. And be it further enacted by the authority aforesaid, That during the continuance of the said duties on sope, no maker of sope in *Great Britain* shall charge or cause to be charged any copper, pan, or other utensil, with materials for making of sope, or fill out any sope from the same, between the hours of ten at night and five in the morning, without first giving notice thereof to the proper officer, under the penalty of twenty pounds* for every such offence.

VIII. And it is hereby declared, That every barrel of sope doth or ought to contain two hundred fifty and six pounds; every half barrel, one hundred twenty and eight pounds; every firkin sixty and four pounds; and every half firkin thirty and two pounds *averdupois*, besides the weight or tare of the cask: and that all sope to be made during the said term, shall be put by the maker into such cask, and none other, upon the making thereof, upon pain of forfeiting five pounds for every offence or neglect therein.

IX. And it is hereby enacted by the authority aforesaid, That from and after the said tenth day of *June*, one thousand seven hundred and twelve, during the continuance of the said duties upon sope hereby granted, all and every person and persons what-

atfover, who shall make any fope in *London* or *Westminster*, in any parts within the limits of the weekly bills of mortality, shall monthly, and every month, and all and every person or persons whatsoever, who shall make any fope in any other part of *Great Britain*, shall, once in every six weeks, make a true entry in writing at the next office for the said duties, of all the fope by him, her, or them severally made within such month or six weeks respectively; which said entries shall contain the weight of all fope mentioned therein respectively, and what quantity thereof was made at each boiling in the several weeks to which such entries shall relate, on pain to forfeit for every neglect of entry the sum of fifty pounds: which entries shall be made upon oath by the makers of such fope, or by their chief workman or servant employed in making the same, according to the best of their knowledge and belief, unless such maker, workman, or servant, be a known *Quaker*, and the solemn affirmation of such maker, workman, or servant to the same effect, in case he or she be a known *Quaker*, shall and may be taken instead of such oath; and the said entries, oaths, and affirmations to verify the same, shall, for such fope as shall be made within the limits of the weekly bills of mortality, be made with and administered by such officer or officers as shall be appointed by the commissioners for the said duties in *England*, or the major part of them, for the time being, who shall attend at a general office in *London* or *Westminster* for that purpose, and for all fope made in all other parts of *Great Britain*, with and by the collectors and supervisors of the district or division within which the respective makers of fope shall inhabit, without any fee or charge whatsoever to be demanded or taken for the same.

ly, others every six weeks, on forfeiture of 50 l.

Entries to be made on oath or solemn affirmation.

X. Provided always, That no maker of fope shall be obliged to go or send further than the market town where his or her fope is made, or the next market town to the place where his or her fope is made, for the making of such entries, as aforesaid.

Entries to be made at the next market town.

XI. And be it further enacted by the authority aforesaid, That all and every person and persons whatsoever, who shall make any fope in *London*, *Westminster*, or within the limits of the said weekly bills of mortality, shall, within four weeks, and all and every person and persons whatsoever, who shall make any fope in any other part of *Great Britain*, shall within six weeks after he, she, or they shall make, or ought to have made such entry, as aforesaid, pay and clear off all the said duties for fope which shall be due from him, her, or them respectively; and that all and every such makers of fope, who shall refuse or neglect to make such payment, as aforesaid, shall forfeit and lose for every such offence, double the sum of the said duty whereof the payment shall be so refused or neglected; and that no such maker of fope, after such default in payment made, shall sell, deliver, or carry out any fope, until he hath paid and cleared

Persons in *London*, &c. to clear off the duties in four weeks, in any other parts in six weeks,

on forfeiture of double duty, &c.

cleared off his duty, as aforesaid, on pain to forfeit double the value of such sope so delivered or carried out.

Officers may enter sope-makers' houses at all times, to take an account of the sope.

and make a return thereof to the commissioners, leaving a copy with the maker, on penalty of 40 s.

Officers to be

Makers to keep just weights, on forfeiture of 20 l.

Officers to take an account of the oil, tallow, pot-ashes, in makers hands, &c.

XII. And be it further enacted by the authority aforesaid, That all and every the officers for the said duties on sope, shall, at all times, by day or by night (and if in the night-time, then in the presence of a constable or other lawful officer of the peace) be permitted, upon his or their request, to enter the house, boiling-house, ware-house, or other place whatsoever, belonging to, or used by any person or persons, who within or during the said term of thirty two years, shall be a maker or makers of any sope whatsoever, and by gauging or weighing of the sope, or otherwise, as to such officer shall seem most proper and convenient, to take an account of the just quantity of the sope which shall have been made by such maker or makers of sope, from time to time; and shall thereof make return or report in writing to the respective commissioners for the said duties on sope, or such as they respectively shall appoint to receive the same, leaving a true copy (if demanded) of such report in writing under his hand, with or for such maker or makers of sope respectively; and such report or return of the said officer or officers shall be a charge upon such maker or makers of sope respectively; and if the officer shall refuse or neglect to give or leave a true copy of his report in writing with or for such maker or makers of sope at the time of taking such account, upon demand, as aforesaid, every such officer, for every such offence, shall forfeit and pay the sum of forty shillings to every such maker and makers of sope respectively.

XIII. Provided always, That every officer who shall be empowered to make such charge, as aforesaid, shall in the first place be sworn for the due and faithful execution of his office; and the oath in that behalf shall and may be administered by all or any the commissioners of the said duties on sope, or by any of her Majesty's justices of the peace, who shall give to such officers a certificate thereof; and all and every such maker or makers of sope respectively, are hereby required to keep sufficient and just scales and weights at the place or places where he, she, or they do make such sope, and permit and assist the officer to make use thereof, for the purposes aforesaid, under the penalty of ten pounds, to be forfeited and lost for not keeping such scales and weights, or for not permitting and assisting the officer to use the same, as aforesaid.

XIV. And the better to prevent any frauds and concealments, whereby her Majesty, her heirs or successors, may be injured or deprived of the duties upon sope granted by this act; it is hereby likewise enacted and declared by the authority aforesaid, That all and every the officers for the said duties upon sope, shall also be permitted to take an account by gauging, weighing, or otherwise, of the quantities of oil, tallow, pot-ashes, lime, and other materials proper to be made into sope, that shall be in the custody or possession of any maker of sope, during the continuance of the said duties hereby granted; and

in case such officer or officers shall miss any quantity or quantities of such oil, tallow, pot-ash, and other materials aforesaid, which he had taken an account of at the last time he was at such makers of soap, and shall not, upon reasonable demand, receive satisfaction what is become of such oil, tallow, and other materials so missing, then, and in every such case, it shall and may be lawful for such officer to charge such maker of soap with such quantity of soap, as such oil, tallow, and materials so missing, in his judgment would reasonably have made, not exceeding fourteen gallons of such ingredients mixt or unmixt (besides the lees) for every barrel of soap consisting of two hundred and fifty six pounds weight *Averdupois*, and so in proportion for a greater or lesser quantity.

XV. And be it enacted, That if any maker or makers of soap shall obstruct or hinder any of the said officers in the execution of the powers and authorities given to him or them by this act, for the ascertaining and securing the said duties upon soap, the person or persons offending therein, shall, for every such offence, forfeit and lose the sum of twenty pounds.

Obstruſting
officer, for-
feits 20l.

XVI. And it is hereby further enacted, That no maker or makers of soap, after the said tenth day of *June*, one thousand seven hundred and twelve, during the continuance of the said duties on soap, shall (under pain of forfeiting the sum of twenty pounds for every offence) remove, carry, or send away, or suffer to be removed, carried, or sent away any soap by him, her, or them made, of which no account shall have been first taken by the proper officer for the said duties, from the place where the same soap shall have been made, without giving to the proper officer or officers, within the limits of the weekly bills of mortality, twenty four hours notice at the least, and to the proper officer or officers in other parts of *Great Britain*, two days notice at the least, of his, her, or their intentions to remove, carry, or send away the same, that the said officer (without his own wilful neglect or default) may have time to gauge, weigh, or otherwise take an account thereof.

Makers not to
remove soap
without due
notice to pro-
per officer, on
pain of 20l.

XVII. And for the better ascertaining the said duties on soap, be it further enacted by the authority aforesaid, That all makers of soap, shall, from time to time, keep all the soap by them to be made, and which shall not have been surveyed and taken an account of by the said officers for the said duties on soap, separate and apart from all other their soap which shall have been surveyed and taken an account of by such officers, for the space of twenty four hours after the making thereof, within the limits of the weekly bills of mortality, or for the space of two days after the making such soap in any other part of *Great Britain*, unless such soap shall have been sooner surveyed, and taken an account of by the said officers respectively, on pain to forfeit for every such offence therein the sum of five pounds.

Soap not sur-
veyed, to be
kept separate,
on pain of 5l.

XVIII. And be it further enacted, That if any of the said makers of soap shall fraudulently hide or conceal, or cause to be hid or concealed, any soap chargeable by this act, or any of

Soap conceal-
ed, forfeits 20l.
By 1 Geo. 1.
stat. 2. c. 36.
ſ. 14. it for-
feits 500l. &c.

the materials for making the same, to the intent to deceive her Majesty of the just duties by this act granted, that then, and in every such case, the party so offending, shall forfeit the sum of twenty pounds for every such offence.

Sope, &c.
found in pri-
vate boiling-
houses, &c.
forfeited.

XIX. And be it further enacted by the authority aforesaid, That all sope, oil, tallow, and other materials for making sope, which shall be found in any private boiling-house, work-house, ware-house, or other place, and all private coppers, kettles, furnaces, troughs, and other vessels, for which no entry shall be made, or notice given, as aforesaid, shall be forfeited and lost, and the same, and the value thereof, shall and may be seized and recovered by the said officer or officers for the said duties upon sope, to her Majesty's use.

All sope, ma-
terials, &c.
chargeable
with the du-
ties for sope
in arrear.

XX. And it is hereby further enacted by the authority aforesaid, That all the sope, and all the materials and utensils for the making of sope, in the custody of any maker or makers of sope, or of any person or persons, to the use of or in trust for such maker or makers of sope, shall be liable and subject to, and are hereby made chargeable with all the debts and duties for sope in arrear and owing by such maker or makers, for any sope made by him, her, or them, or in his, her, or their working-houses or places aforesaid; and shall also be subject to all penalties and forfeitures incurred by such person or persons so using such work-house or other place, for any offence against this act, relating to the said duties upon sope; and that it shall and may be lawful, in all such cases, to levy debts and penalties, and use such proceedings as may lawfully be done by this act in relation to sope, in case the debtor or offender were the true and lawful owner of the same.

Stock in hand
on 10 June, to
pay.

XXI. And be it further enacted by the authority aforesaid, That for all sope which any sope-boilers, chandlers, or other sellers and dealers in sope in *Great Britain*, or any person or persons in trust for him, her, or them, or for his, her, or their use, shall be possessed of or interested in, upon the said tenth day of *June*, one thousand seven hundred and twelve, for sale, there shall be yielded and paid to her Majesty the like respective rates, as are by this act to be paid for the like sorts of sope respectively to be made or imported after the said tenth day of *June*; and that all and every the said sope-boilers, chandlers, and other sellers and dealers in sope, and all and every other person and persons who, in trust for them, or any of them, or for the use of them, or any of them, shall be possessed of, or have in his, her, or their custody or possession, or in his, her, or their boiling-house, work-house, ware-house, store-house, shop, room, or other place or places whatsoever, upon the said tenth day of *June*, one thousand seven hundred and twelve, any stock, parcel, or quantity of sope of foreign or *British* manufacture for sale, shall, on or before the said tenth day of *June*, one thousand seven hundred and twelve, make a true and particular entry thereof at the office for the said duties within the limits of which they shall respectively inhabit, upon pain to

Stock in hand
to be entred
at the proper
office, on for-
feiture of sol.
and the sope
not entred,

forfeit the sum of fifty pounds, and the said sope for which no such entry shall have been made; and within six days after he, she, or they shall have made or ought to have made such entries, as aforesaid, shall pay down the duties hereby payable for such sope, or within the said six days shall give security to the proper officers for paying the same duties to her Majesty's use, within three months then next ensuing; and in case the said duties for such stock of sope be paid down within the said six days, then there shall be allowed out of the said duty for such prompt payment an allowance after the rate of ten pounds *per centum per annum*, for the said time of three months; and that all and every such sope-boilers, and other sellers and dealers in sope, who shall refuse or neglect to make such payment, or to give such security for payment of the said duties for his, her or their said stock of sope, within the time by this act limited for that purpose, shall forfeit double the sum of the said duty which should have been so paid or secured by him, her, or them, as aforesaid; and that it shall and may be lawful to and for the proper officers for the said duties respectively to take a true and particular account of all such stock or quantities of sope as any sope-boilers, chandlers, or other sellers and dealers in sope, or any in trust for them, shall, on the said tenth day of *June*, one thousand seven hundred and twelve, have or be possessed of; and for that purpose shall be permitted, in the day-time, to enter into any shop, ware-house, boiling-house, or any dwelling-house, out-house, or other places belonging to such sope-boilers, chandlers, and other sellers and dealers in sope, and every of them, who are hereby required to permit such officer and officers, upon his or their request, to make such entrance on the said tenth day of *June*, one thousand seven hundred and twelve, or afterwards, at any time before the duty last-mentioned shall be paid or secured, and to take an account of the quantity of such sope, under the penalty of twenty pounds; and if any person or persons, having on the said tenth day of *June*, one thousand seven hundred and twelve, in his, her, or their custody or possession, any stock or quantity of sope chargeable by this act with the said duties for stock, as aforesaid, shall clandestinely remove or carry away, or cause or suffer to be removed or carried away the same, or any part thereof, before her Majesty's duties thereupon shall be paid or secured, as aforesaid, or shall fraudulently conceal or hide any part of his, her, or their said stock of sope, that then, and in every such case, he, she, or they so offending, for every such offence shall forfeit the sum of twenty pounds; and in all and every such case and cases the stock or quantity of sope, which shall be so clandestinely removed or carried away, or fraudulently concealed or hid, shall be forfeited, and shall and may be seized by any of the said officers for the said duties on sope; and the person or persons in whose custody such stock of sope shall be found, who shall not, before the discovery thereof, give notice at the next office for the said duties on sope of the stock or quantity

and the duty to be paid or secured within 6 days.

10l. per cent. for prompt payment.

neglecting to pay, forfeits double:

Officers may enter shops, &c. to view stock.

Refusal to permit them, forfeits 20l.

Clandestinely removing stock, &c. forfeits 20l.

quantity of sope so in his, her, or their custody, shall also forfeit and lose the sum of five shillings for every pound weight.

Sope that hath paid the duty may be exported on security, &c.

XXII. Provided always, and be it further enacted by the authority aforesaid, That it shall and may be lawful to and for any person or persons, who shall have actually paid her Majesty's duties by this act payable for any quantities of sope whatsoever, and to and for any other person or persons, who shall buy, or be lawfully entitled to any such quantity of sope from the said person or persons who actually paid her Majesty's duties for the same, to export such sope for any foreign parts, by way of merchandize, giving sufficient security before the shipping thereof for exportation, that the particular quantities of sope which shall be intended to be exported, as aforesaid, and every part thereof, shall be shipped and exported, and that the same or any part thereof, shall not be re-landed or brought again into any part or parts of *Great Britain*, which security the customer or collector of the respective port for such exportation, is hereby directed and authorized to take in her Majesty's name, and to her use.

Such sope re-landed, forfeited.

XXIII. Provided always, That if after the shipping any such sope to be exported, as aforesaid, and the giving or tendring such security, as aforesaid, in order to obtain the allowance or drawback herein after-mentioned, the sope so shipped to be exported, or any part thereof, shall be re-landed in any part of *Great Britain*, that then, and in every such case (over and above the penalty of the bond which shall be levied and recovered to her Majesty's use) all the sope which shall be landed, or the value thereof, shall be forfeited.

On oath that the duty has been paid, and on debenture from the collector, &c. collector to repay the duties.

XXIV. And it is also hereby enacted, That any person or persons who shall export any sope to any foreign parts, shall or may make proof, upon oath, or by such affirmation respectively, as aforesaid, that the duty of such sope hath been paid or secured, according to this act (which oath or affirmation the collector who received the said duty is hereby required and empowered to administer) and thereupon the said customer or collector of the said port of exportation, shall give to the exporter thereof a debenture, expressing the true kinds and quantities of the sope so exported; and the exportation thereof being certified by the searcher upon the said debenture, the collector appointed to receive the said duties upon sope in such county or place where the said sope was exported, (upon producing the said debenture so certified to him) shall forthwith pay the duties which shall have been received upon this act for the sope so exported to the persons or agents so exporting the same; and if such collector shall not have money in his hands to pay any such debenture, then the respective commissioners for the said duties of sope are hereby required to pay, or cause to be paid, the said debenture out of any duties upon sope arising by this act; or if the duty of such sope so exported were only secured, and shall remain unpaid, then the same shall be discharged upon the

the securities for the same; any thing in this act contained to the contrary notwithstanding.

XXV. And be it further enacted by the authority aforesaid, That all and every the powers, authorities, directions, rules, methods, penalties, and forfeitures, clauses, matters, and things, which in and by an act made in the twelfth year of the reign of King Charles the Second, intuled, *An act for taking away the court of wards and liveries, and tenures in capite, and by knights service, and purveyance, and for settling a revenue upon his Majesty in lieu thereof*, or by any other law now in force relating to her Majesty's revenue of excise upon beer, ale, or other liquors, are provided, settled or established, for managing, raising, levying, collecting, mitigating, or recovering, adjudging, or ascertaining the duties thereby granted, or any of them, (other than in such cases for which other penalties or provisions are made and prescribed by this act) shall be exercised, practised, applied, used, and put in execution, in and for the managing, raising, levying, collecting, mitigating, recovering, and paying the said duties upon scope hereby granted, during the continuance of this act, as fully and effectually to all intents and purposes, as if all and every the said powers, authorities, rules, directions, methods, penalties, forfeitures, clauses, matters, and things, were particularly repeated, and again enacted in the body of this present act.

All the power in 22 Car. 2. c. 24. and other excise acts, to be in force for managing these duties.

XXVI. And be it further enacted by the authority aforesaid, That all fines, penalties and forfeitures, in relation to the said duties by this act imposed upon scope, shall be sued for, levied, and recovered, or mitigated, by such ways, means, and methods, as any fine, penalty, or forfeiture is or may be recovered or mitigated by any law or laws of excise, or by action of debt, bill, plaint, or information, in any of her Majesty's courts of record at *Westminster*, or in the court of session, court of justiciary, or court of *Exchequer* in *Scotland* respectively; and that one moiety of every such fine, penalty, and forfeiture, (except the said penalty of forty shillings on the officer) shall be to her Majesty, her heirs and successors, and the other moiety to him or them that shall discover, inform, or sue for the same.

All fines, &c. to be sued for as by the laws of excise.

XXVII. Provided always, and it is hereby enacted by the authority aforesaid, That such persons as shall be, in pursuance of this act, appointed commissioners for the duties on scope to be made in *England*, *Wales*, or *Berwick upon Tweed*, shall and may have and exercise the same or like jurisdiction, power, and authority, and may adjudge, determine, mitigate, or order, in all cases and matters relating to the said duties on scope arising within the limits aforesaid, as the commissioners of excise upon beer, ale, and other liquors, may or lawfully can exercise, adjudge, determine, mitigate, or order in the like cases or matters in relation to the said duties of excise, by any law or statute now in force.

Commissioners for these duties to have the same jurisdiction as commissioners of excise.

XXVIII. And whereas it may frequently happen, That stale or rotten scope, and also the cuttings of good scope, (for which the duties

Allowance to be made for stale or rotten scope, or the

cuttings of good sope, put into the copper to be refreshed.

By 11 Geo. 3. c. 30. l. 37. Notice is to be given of the putting in stale sope, &c.

Allowance to be made of a third part of sope spent in making cloths, serges, &c. on oath, &c. of the worker.

ties upon this act shall first have been duly paid or charged) may be put again into the copper or pan to be refreshed or made new, and the sope newly made from the same, or from a mixture of the same with other ingredients, will be chargeable with a new duty by this act; it is therefore hereby provided and enacted, That in case such stale or rotten sope, or cuttings, be put into the copper or pan, in the presence of an officer for the said duties, to be refreshed or made new, as aforesaid, such officer shall, from time to time, make an allowance of the duty of the stale or rotten sope, or cuttings so put in, and certify every such allowance upon his report to be returned to the head office, as aforesaid; any thing herein contained to the contrary notwithstanding.

XXIX. And whereas sope is more or less used in washing, scouring, or preparing the sheeps wooll, or lambs wool, to be converted into the woollen manufactures of this realm, and in the making or finishing the same manufactures, or some of them; and it being judged reasonable to give an ease or encouragement to persons who shall be employed in the preparing, making, or finishing the said woollen manufactures, whether the same be for exportation or home consumption: it is hereby further provided and enacted, That it shall and may be lawful to and for any person or persons, who, after the five and twentieth day of December, one thousand seven hundred and twelve, during the continuance of the said duties upon sope, shall employ, spend, and consume any quantity or quantities of sope in the making of any cloths, serges, kerries, bays, stockings, or other manufactures of sheeps or lambs wool only, or in the finishing of the said manufactures, or preparing the wooll for the same, or to and for his, her, or their chief workman employed under him, her, or them, in those works, or any of them, from time to time, to make proof in writing by the affidavit of the said person or persons who shall so employ, spend, and consume the said sope, or of his, her, or their chief workman, unless he, she, or they be a known Quaker or Quakers, and by the solemn affirmation of such Quaker or Quakers, before the collector and supervisor of the district or division where such sope shall be so employed, spent, and consumed, or either of them, (who are hereby respectively impowered and required to administer the same upon the request of the manufacturer, or his, her, or their chief workman aforesaid) which said affidavit or affirmation shall specify the kinds and quantities of the manufactures so made, finished, or prepared, and the days between which, and the places where the same were so made, finished, or prepared respectively, and the quantities and kinds of the sope which were actually employed, spent, and consumed therein; and that no allowance, by virtue of this act, was before made to such manufacturers respectively, or for his, her, or their benefit, of the duties payable by this act for the sope so specified in such affidavit or affirmation, or any part thereof; and that upon the making of every such affidavit or affirmation, the said collector, out of the money in his hands of the said duties upon sope by this act granted, shall pay to the said manufacturers

manufacturers respectively, so much as one third part of the duties granted by this act for the scope specified in every such affidavit or affirmation taken by the said collector and supervisor jointly, or by the said collector singly, doth amount unto, without any delay; and in case the same were administered by the supervisor only, then upon a certificate thereof, made and signed by the said supervisor (which he is hereby required to make and sign upon demand) the said collector shall out of any monies in his hands of the said duties on scope, forthwith pay to the said manufacturers respectively the said third part of the said duties so payable by this act for the scope so spent and consumed, as aforesaid; and in case the collector shall not then have money sufficient in his hands to satisfy such payments, that then and in every such case the commissioners for the said duties on scope, for the time being, upon a certificate thereof from the said collector, (who is hereby enjoined and required to make and sign such certificate) shall forthwith cause such payments to be made out of any monies arising by the said duties on scope, without any further delay.

XXX. And it is hereby declared and enacted, That the said affidavits, affirmations, and certificates, touching the said allowance to the woollen manufacturers aforesaid, shall and may be written or printed upon paper not stamped or marked for any the duties charged by this or any other act upon stamped vellum, parchment, or paper; and that no fee, gratuity, or reward whatsoever, shall be required, demanded, or taken from any the said manufacturers, for making any the payments of the said allowance for scope consumed in the woollen manufactures, or for making, or taking any the said affidavits, affirmations, or certificates relating thereunto, (except four pence for writing every such affidavit, affirmation or certificate) upon pain that any of the said officers offending therein, shall for every such offence pay treble damages to the party grieved, besides full costs of suit, to be recovered in such manner as any other penalty relating to the duties upon scope are by this act to be recovered.

Such affidavit, &c. not to be stamped.

No fee to be taken for the allowance, &c.

Excep. &c.

XXXI. And for the better preventing frauds and abuses in obtaining the allowances last-mentioned, it is hereby further enacted, That if any person or persons shall in such affidavit or affirmation, swear, affirm, or alledge any matter or thing that shall be false and untrue, with an intent to defraud her Majesty, her heirs or successors, such person or persons offending therein, shall for every such offence forfeit and lose treble the value of the allowance for which such affidavit or affirmation shall be made, to be recovered in like manner, (to wit) one third part thereof to the use of the Queen's majesty, and the other two thirds thereof (with full costs of suit) to the use of the informer or prosecutor; and if any person or persons being once convicted of any such offence, shall again offend in the like kind, and be thereof duly convicted in any court of record at Westminster, or in any the said courts of Scotland, every such person

Persons forswearing, to forfeit treble the value of the allowance.

For second offence to suffer as in cases of wilful perjury.

person or persons, for such other offence, shall suffer as in cases of wilful and corrupt perjury.

Duty on paper, &c. imported for 32 years from 2^d June, 1712. made perpetual by 3 Geo. 1. c. 7. l. 1.

XXXII. And be it enacted by the authority aforesaid, That there shall be raised, levied, collected, and paid, unto and for the use of her Majesty, her heirs and successors, for and upon all paper of what kind soever, and all pastboards, mildboards, and scale-boards, and all books, prints, and maps, which, at any time or times within or during the term of thirty two years, to be reckoned from the four and twentieth day of June, one thousand seven hundred and twelve, shall be imported or brought into the kingdom of *Great Britain*, (over and above all other customs, subsidies, and duties imposed upon or payable for the same) the several and respective rates and duties herein after expressed, (that is to say)

Atlas Fine.

For and upon all paper usually called or known by the name of *Atlas Fine*, which shall be imported or brought in, as aforesaid, the sum of sixteen shillings for every ream, and after that rate for a greater or lesser quantity.

Atlas Ordinary.

For and upon all paper usually called or known by the name of *Atlas Ordinary*, which shall be imported or brought in, as aforesaid, the sum of eight shillings for every ream, and after that rate for a greater or lesser quantity.

Imperial Fine.

For and upon all paper usually called or known by the name of *Imperial Fine*, which shall be imported or brought in, as aforesaid, the sum of sixteen shillings for every ream, and after that rate for a greater or lesser quantity.

Super Royal Fine.

For and upon all paper usually called or known by the name of *Super Royal Fine*, which shall be imported or brought in, as aforesaid, the sum of twelve shillings for every ream, and after that rate for a greater or lesser quantity.

Royal Fine.

For and upon all paper usually called or known by the name of *Royal Fine*, which shall be imported or brought in, as aforesaid, the sum of eight shillings for every ream, and after that rate for a greater or lesser quantity.

Medium Fine.

For and upon all paper usually called or known by the name of *Medium Fine*, which shall be imported or brought in, as aforesaid, the sum of six shillings for every ream, and after that rate for a greater or lesser quantity.

Demy Fine.

For and upon all paper usually called or known by the name of *Demy Fine*, which shall be imported or brought in, as aforesaid, the sum of four shillings for every ream, and after that rate for a greater or lesser quantity.

Demy Second.

For and upon all paper usually called or known by the name of *Demy Second*, which shall be imported or brought in, as aforesaid, the sum of two shillings and six pence for every ream, and after that rate for a greater or lesser quantity.

Demy Printing.

For and upon all paper usually called or known by the name of *Demy Printing*, which shall be imported or brought in, as aforesaid, the sum of one shilling and eight pence for every ream, and after that rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Fine Holland Royal*, which shall be imported or brought in, as *Fine Holland Royal* afore-
said, the sum of three shillings and three pence for every
ream, and after that rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Fine Holland Second*, which shall be imported or brought in, as *Fine Holland Second* afore-
said, the sum of two shillings for every ream, and after
that rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Blue Royal*, of *Blue Royal*, which shall be imported or brought in, as afore-
said, the sum of two shillings for every ream, and after that rate
for a greater or lesser quantity.

For and upon all painted paper which shall be imported or brought in, as afore-
said, the sum of eight shillings for every ream, and after that rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Cartridge paper*, of *Cartridge Paper*, which shall be imported or brought in, as afore-
said, the sum of one shilling and six pence for every ream,
and after that rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Elephant Fine*, of *Elephant Fine*, which shall be imported or brought in, as
afore-
said, the sum of eight shillings for every ream, and after
that rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Ordinary Elephant*, of *Ordinary Elephant*, which shall be imported or brought in, as
afore-
said, the sum of three shillings and three pence for every
ream, and after that rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Fine Large Post*, of *Fine Large Post*, which shall be imported or brought in, as
afore-
said, the sum of two shillings and six pence for every ream,
and after that rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Fine Fools Cap*, of *Fine Fools Cap*, which shall be imported or brought in, as
afore-
said, two shillings and six pence for every ream, and after
that rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Second Fools Cap*, of *Second Fools Cap*, which shall be imported or brought in, as
afore-
said, two shillings for every ream, and after that rate for a
greater or lesser quantity.

For and upon all paper usually called or known by the name *Bastard, or Double Copy*, of *Bastard, or Double Copy*, which shall be imported or brought
in, as afore-
said, two shillings for every ream, and after that
rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Chancery Double*, of *Chancery Double*, which shall be imported or brought in, as
afore-
said, two shillings for every ream, and after that rate for a
greater or lesser quantity.

For and upon all paper usually called or known by the name *Superfine Pot*, of *Superfine Pot*, which shall be imported or brought in, as afore-
said, two shillings for every ream, and after that rate for a
greater or lesser quantity.

**Second Fine
Pot.**

For and upon all paper usually called or known by the name of *Second Fine Pot*, which shall be imported or brought in, as aforesaid, one shilling and six pence for every ream, and after that rate for a greater or lesser quantity.

Genoa Royal.

For and upon all paper usually called or known by the name of *Genoa Royal*, which shall be imported or brought in, as aforesaid, three shillings and three pence for every ream, and after that rate for a greater or lesser quantity.

Genoa Medium.

For and upon all paper usually called or known by the name of *Genoa Medium*, which shall be imported or brought in, as aforesaid, two shillings and six pence for every ream, and after that rate for a greater or lesser quantity.

**Genoa Demy
Fine.**

For and upon all paper usually called or known by the name of *Genoa Demy Fine*, which shall be imported or brought in, as aforesaid, two shillings for every ream, and after that rate for a greater or lesser quantity.

**Genoa Demy
Second.**

For and upon all paper usually called or known by the name of *Genoa Demy Second*, which shall be imported or brought in, as aforesaid, after the rate of one shilling and six pence for every ream, and after that rate for a greater or lesser quantity.

**Genoa Crown
Fine.**

For and upon all paper usually called or known by the name of *Genoa Crown Fine*, which shall be imported or brought in, as aforesaid, one shilling and six pence for every ream, and after that rate for a greater or lesser quantity.

**Genoa Crown
Second.**

For and upon all paper usually called or known by the name of *Genoa Crown Second*, which shall be imported or brought in, as aforesaid, one shilling for every ream, and after that rate for a greater or lesser quantity.

**Genoa Fools
Cap Fine.**

For and upon all paper usually called or known by the name of *Genoa Fools Cap Fine*, which shall be imported or brought in, as aforesaid, one shilling and six pence for every ream, and after that rate for a greater or lesser quantity.

**Genoa Fools
Cap Second.**

For and upon all paper usually called or known by the name of *Genoa Fools Cap Second*, which shall be imported or brought in, as aforesaid, one shilling for every ream, and after that rate for a greater or lesser quantity.

German Lombard.

For and upon all paper usually called or known by the name of *German Lombard*, which shall be imported or brought in, as aforesaid, one shilling for every ream, and after that rate for a greater or lesser quantity.

German Demy.

For and upon all paper usually called or known by the name of *German Demy*, which shall be imported or brought in, as aforesaid, one shilling and six pence for every ream, and after that rate for a greater or lesser quantity.

**German
Crown.**

For and upon all paper usually called or known by the name of *German Crown*, which shall be imported or brought in, as aforesaid, one shilling for every ream, and after that rate for a greater or lesser quantity.

**German Fools
Cap.**

For and upon all paper usually called or known by the name of *German Fools Cap*, which shall be imported or brought in, as aforesaid,

aforesaid, one shilling for every ream, and after that rate for a greater or lesser quantity.

For and upon all pastboards, mildboards, and scaleboards, ^{Pap board, scaleboard, &c. in part repealed by 11 Geo. 1. c. 4.} which shall be imported or brought in, as aforesaid, five shillings for every hundred weight, and after that rate for a greater or lesser quantity.

And for and upon all other paper, white or brown, or of any other colour or kind whatsoever, which shall be imported or brought in, as aforesaid, (not being particularly charged in this act) a duty after the rate of twenty pounds for every one hundred pounds of the true and real value of the same, and after that rate for a greater or lesser quantity. ^{All other paper 20l. per cent. ad valorem.}

XXXIII. And it is hereby enacted, That there shall be answered and paid to her Majesty, her heirs and successors, for and upon all books, prints, and maps, printed or wrought off in any parts beyond the seas, which, at any time or times within or during the term last mentioned, shall be imported or brought, bound or unbound, into *Great Britain*, (over and above the present duties thereupon) a duty after the rate of thirty pounds for every one hundred pounds of the true and real value of the same, and after that rate for greater or lesser quantities: which said duties for and upon the said several sorts of paper, and the said pastboards, mildboards, and scaleboards, and the said books, prints, and maps to be imported, as aforesaid, shall be paid by the respective importers thereof, from time to time. ^{Books, prints, and maps imported 30l. per cent. ad valorem. In part repealed by 12 Annæ, stat. 2. c. 5.}

XXXIV. And it is hereby declared, That the values of such of the said paper, and of the said books, prints, and maps, as are to pay the said duties *ad valorem*, shall, in all cases, be taken to be so much as such imported kinds are really worth, to be sold at the port of importation, without any abatement for the duties thereupon charged by this or any former acts; and that the respective customer, collector, comptroller, or other person or persons, officer or officers of the customs, for the time being, shall receive and levy the same duties so payable *ad valorem*, upon the oath of the merchant or importer accordingly: and such oath shall and may be administered, and all other matters done for ascertaining the said duties of such paper, and of such books, prints, and maps so payable *ad valorem*, in the same manner and form as are lawfully used and practised for ascertaining any duties payable *ad valorem*, upon any other commodities imported. ^{Value of paper, books, &c. how to be ascertained.}

XXXV. And be it further enacted by the authority aforesaid, That the several rates and duties by this act set or imposed upon all or any the said sorts of paper, and upon all or any the said pastboards, mildboards, and scaleboards, and the said books, prints, and maps, to be imported and brought into *Great Britain*, shall, from time to time, be satisfied and paid in ready money, upon the entry or entries made, and before the landing thereof; and that in case any of the said imported paper, or any the said pastboards, mildboards, and scaleboards, books, ^{Duty on paper, &c. to be paid on entry.}

Landed before
entry, &c. for-
feited.

prints, or maps, shall be landed or put on shore out of any ship or vessel, before due entry be made thereof at the custom-house in the port or place where the same shall be imported, and before the said duties by this act charged or chargeable thereupon, shall be duly paid, or without a warrant for the landing or delivering the same, first signed by the commissioners, collectors, or other proper officer or officers of the customs respectively, That all such paper, and all the said pastboards, mildboards, and scaleboards, books, prints, and maps, as shall be so landed or put on shore, or taken out of any ship or vessel, contrary to the true meaning hereof, or the value of the same, shall be forfeited, and shall and may be seized and recovered of the importer or proprietor thereof, to wit, one moiety of the same to the use of her Majesty, her heirs and successors, and the other moiety of the same to the use of such person or persons as will seize, inform, or sue for the same, or the value thereof, in any her Majesty's courts of record at Westminster, for any such offences committed in *England, Wales, or Berwick upon Tweed*, or in her Majesty's court of session, court of judicary, or court of exchequer in *Scotland*, for any such offences committed in *Scotland*, by action, bill, suit, or information, wherein no essoin, protection, or wager of law shall be allowed.

How these
duties shall be
raised.

XXXVI. And be it further enacted by the authority aforesaid, That the said duties upon the said imported paper and boards, and upon the said imported books, prints, and maps, during the continuance thereof, shall be ascertained, secured, raised, levied, recovered, and answered, for the uses and purposes in this act expressed, by such rules, ways, means and methods, and under such penalties and forfeitures, and in such manner and form, as the present duties upon such paper, boards, or such books, prints, or maps respectively, or any of them, are by any law or statute now in force, to be ascertained, secured, raised, levied, recovered and answered, during the continuance thereof respectively.

These duties
to be managed
by the com-
missioners of
the customs.

XXXVII. And be it enacted and declared by the authority aforesaid, That such of the duties imposed by this act upon the said paper and boards, and upon the said books, prints, and maps, as shall arise in *England, Wales, and the town of Berwick upon Tweed*, shall be under the management of the commissioners and officers of the customs in *England*, for the time being; and such of the duties imposed by this act upon imported paper and boards, or such books, prints, or maps, as aforesaid, as shall arise in *Scotland*, shall be under the management of the commissioners and officers of the customs in *Scotland*, for the time being; and that the respective receivers general of the customs in *England* and *Scotland*, for the time being, shall, from time to time, pay or cause to be paid, all the monies that they respectively shall receive of the said duties for the said paper and boards, and for such books, prints, and maps imported, as aforesaid, (the necessary charges of raising and accounting for the same excepted) into the receipt of her Majesty's Exchequer.

in

in *England*, distinctly and apart from all other branches of the publick revenues, for the purposes in this act expressed, and under the like penalties, forfeitures, and disabilities as are to be inflicted by this act, for diverting or misapplying any money by this act appropriated or appointed for any the purposes herein after mentioned.

XXXVIII. And be it further enacted by the authority aforesaid, That there shall be raised, levied, collected and paid, to and for the use of her Majesty, her heirs and successors, for and upon all paper of what kind soever, and upon all past-boards, mildboards and scaleboards, which shall, at any time or times within or during the term of thirty two years, to be reckoned from the four and twentieth day of *June*, one thousand seven hundred and twelve, be made in *Great Britain*, the several and respective duties herein after-mentioned, that is to say,

Paper, past-board, &c. made in Great Britain. Made perpetual by 3 Geo. 1. c. 7. s. 1.

For and upon all paper usually called or known by the name *Demy Fine*, of *Demy Fine*, which shall be so made in *Great Britain*, the sum of one shilling and six pence for every ream, and after that rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Demy Second*, of *Demy Second*, which shall be so made in *Great Britain*, the sum of one shilling for every ream, and after that rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Crown Fine*, of *Crown Fine*, which shall be so made in *Great Britain*, the sum of one shilling for every ream, and after that rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Crown Second*, of *Crown Second*, which shall be so made in *Great Britain*, the sum of nine pence for every ream, and after that rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Fools Cap*, of *Fools Cap Fine*, which shall be so made in *Great Britain*, the sum of one shilling for every ream, and after that rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Fools Cap Second*, of *Fools Cap Second*, which shall be so made in *Great Britain*, the sum of nine pence for every ream, and after that rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Fine Pots*, of *Fine Pots*, which shall be so made in *Great Britain*, the sum of one shilling for every ream, and after that rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Second Pots*, of *Second Pots*, which shall be so made in *Great Britain*, the sum of six pence for every ream, and after that rate for a greater or lesser quantity.

For and upon all paper usually called or known by the name *Brown Large*, of *Brown Large Cap*, which shall be so made in *Great Britain*, the

the sum of six pence for every ream, and after that rate for a greater or lesser quantity.

Small Ordinary Brown.

For and upon all paper usually called or known by the name of *Small Ordinary Brown*, which shall be so made in *Great Britain*, the sum of four pence for every ream, and after that rate for a greater or lesser quantity.

Whited Brown.

For and upon all paper usually called or known by the name of *Whited Brown*, which shall be so made in *Great Britain*, the sum of six pence for every bundle, each bundle containing forty quires, and after that rate for a greater or lesser quantity.

Pastboards, &c.

For and upon all pastboards, mildboards, and scaleboards, which shall be so made in *Great Britain*, three shillings for every hundred weight, and after that rate for a greater or lesser quantity.

Paper not particularly charged.

And for and upon all other paper, white or brown, or of any other colour or kind whatsoever, which shall be made in *Great Britain*, as aforesaid (not being particularly charged in this act) a duty after the rate of twelve pounds for every one hundred pounds of the true and real value of the same, and after that rate for any greater or lesser quantities: which said duties for and upon the said several sorts of paper, and other the commodities last-mentioned to be made in *Great Britain*, shall be paid by the makers thereof respectively.

Painted paper.

XXXIX. And it is hereby enacted, That for and upon all paper which, at any time or times during the term last-mentioned, shall be printed, painted, or stained in *Great Britain*, to serve for hangings and other uses, there shall be answered and paid to her Majesty (over and above the duties payable for such paper before the printing, painting, or staining thereof) the sum of one penny for every yard square, and after that rate for a greater or lesser quantity; to be paid by such person or persons, as shall print, paint, or stain the same.

A ream to be 20 quires, of 24 sheets each.

XL. And be it declared and enacted by the authority aforesaid, That a ream of paper chargeable by this act, whether the same be imported or made in *Great Britain*, shall be understood to consist of twenty quires, and each quire of four and twenty sheets; and that all sorts of paper of the respective dimensions and value of the paper chargeable by this act, under the respective denominations aforesaid, with the respective rates and duties hereby granted, shall be charged and chargeable with the same respective rates and duties, although the same denominations (by which they are now usually known) should be altered, or by whatsoever other name or names, the same or any of them, now are, or during the said term, shall or may be called or known.

Her Majesty or lord treasurer to appoint commissioners.

XLI. And for the better ascertaining, charging, and securing the duties by this act set and imposed upon all sorts of paper, and the said pastboards, mildboards, and scaleboards made in *Great Britain*, and upon the said printed, painted, and stained

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ed paper, during the term aforesaid, according to the true meaning of this act, and for preventing of frauds concerning the same; be it further enacted by the authority aforesaid, That such commissioners or persons as her Majesty, her heirs and successors, or the high treasurer of *Great Britain*, now being, or the high treasurer of *Great Britain*, or any three or more of the commissioners of the treasury, for the time being, shall, from time to time, by one or more commission or commissions for that purpose appoint, shall be her Majesty's commissioners for the receipt and management of the said duties by this act set and imposed upon all paper, pastboards, mildboards, and scaleboards made within *Great Britain*, and upon the said printed, painted, and stained paper chargeable by this act: which said commissioners, or the major part of them respectively, shall and have hereby power, by commission under their respective hands and seals, to substitute and appoint under them such receivers general, collectors, comptrollers, surveyors, and other officers, as shall be requisite and necessary for the purposes aforesaid; and that the said commissioners so to be appointed, and all the officers for the said duties upon paper, shall have out of the same such salaries and rewards for their respective services in relation to the same duties, as the said high treasurer now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, shall think reasonable to establish or allow in that behalf; and that the said respective commissioners for the said duties on paper, for the time being, shall, from time to time, cause all the monies to arise by or for the said duties on the said paper, pastboards, mildboards, and scaleboards, and for the said printed, painted, and stained paper, to be made or wrought in *Great Britain*, during the term aforesaid (the necessary charges of managing, collecting, railing, paying, and accounting for the same excepted) to be paid, from time to time, as the same shall arise, into the receipt of her Majesty's Exchequer in *England*, under the penalties, forfeitures, and disabilities herein after expressed.

who are to
appoint other
officers, &c.

The money to
be paid into
the Exche-
quer.

XLII. And it is hereby enacted and declared, That the values of such of the said paper made in *Great Britain* as is to pay duty *ad valorem*, as aforesaid, shall in all cases be taken to be so much as such paper shall be worth to be sold (so soon as the same is perfectly made, from time to time) at the next market town, without respect to the duty hereby charged thereupon; and that the collector for the time being shall receive the said duties payable *ad valorem* for such paper accordingly, upon the oath of the maker or makers of such paper, or of his or their chief workman or servant employed in making the same, according to the best of their knowledge or belief, unless such maker, workman, or servant be a known Quaker, and the solemn affirmation of such maker, workman, or servant, to the same effect, in case he or she be a known Quaker, shall and may be taken instead of such oath; which oaths and affirmations

The duty on
paper that
pays *ad valo-*
rem, how to be
ascertained.

tions to ascertain the value of such paper so to be charged, shall and may be administered by the proper collector or supervisor of the district or division within which such maker of paper doth inhabit, without any fee or charge for the same.

Makers of paper, pastboard, &c. before 24 June, 1712, to give notice of their names and places of abode, and of their work-houses, &c. on pain of 50*l*.
By 1 Geo. 1. stat. 2. c. 36. s. 17. officers are to take an account of the quantities, &c. of paper, before printing, &c.

XLIII. And it is hereby further enacted by the authority aforesaid, That all and every person and persons whatsoever, who, on or before the four and twentieth day of *June*, in the year of our Lord one thousand seven hundred and twelve, shall make any paper, pastboard, mildboard, or scaleboard, or shall print, paint, or stain any paper in *Great Britain*, as aforesaid, for sale, or not for sale, shall, on or before the said four and twentieth day of *June*, one thousand seven hundred and twelve, give or leave notice in writing at the office for the said duties on paper next to the place where such paper, pastboard, mildboard, and scaleboard shall be made, or where such paper shall be made, printed, painted, or stained, of their respective names and places of abode, and of the place or places where every such person or persons do usually make or print, paint, or stain any such paper, pastboard, mildboard, or scaleboard; and that all and every such maker or makers, as often as he, she, or they shall change their places of making, printing, painting, or staining of paper, or making of pastboards, mildboards, and scaleboards, and all and every person and persons who shall at any time or times hereafter, during the continuance of the said duties on paper, be a maker or makers of paper, pastboard, mildboard, or scaleboard, or shall print, paint, or stain any paper, as aforesaid, shall give or leave the like notice of their respective names and places of abode, and the places where they shall respectively make, or intend to make any such paper, pastboard, mildboard, or scaleboard, or to print, paint, or stain any such paper, as aforesaid, before they respectively do presume to make, print, paint, or stain the same, in any such new or other place or places, to the end the said commissioners, or other officers for the said duties on paper, may, from time to time, have due knowledge of all the places where such goods shall be made or wrought, and be the better enabled to secure the duties hereby granted thereupon; and if any such person or persons who shall make, print, paint, or stain any paper, or make any pastboard, mildboard, or scaleboard, for which a duty ought to be paid by this act, shall neglect to give or leave such notice, as aforesaid, he, she, or they, shall, for every such offence, forfeit the sum of thirty pounds.

And of their places of drying, &c. on pain of 20*l*.

XLIV. And the better to prevent any frauds or concealments, whereby her Majesty, her heirs or successors, may be injured or deprived of his, her, or their dues; be it further enacted by the authority aforesaid, That no person whatsoever, during the continuance of the said duties upon paper, shall use any place for drying the same, or making it fit for use, other than such common place or places whereof he, she, or they shall first have given notice in writing at the proper office for the same duties, to be the place or places for his, her, or their drying

drying or finishing the same, upon pain of forfeiting the sum of twenty pounds for every such offence.

XLV. And it is hereby further enacted by the authority ^{Entry to be made once in 6 weeks upon oath, &c.} aforesaid, That from and after the four and twentieth day of *June*, one thousand seven hundred and twelve, during the continuance of the said duties upon paper, all and every person and persons who shall make any paper, pastboard, mildboard, or scaleboard in *Great Britain*, or print, paint, or stain any paper, as aforesaid, in *Great Britain*, shall, once in every six weeks, make a true entry in writing at the next office for the said duties upon paper, or all the paper, pastboards, mildboards, and scaleboards by him, her, or them severally made fit for use, within such six weeks respectively; which entries shall contain the just ^{Penalty 50l.} kinds and quantities thereof, on pain to forfeit, on every neglect of such entry, the sum of fifty pounds: which entries shall be made upon oath, or upon an affirmation, as aforesaid, to be respectively taken and administered as this act prescribes, in cases where the value of any unrated paper is to be ascertained, as aforesaid, without any fee or charge whatsoever to be demanded or taken for the same.

XLVI. Provided always, That no person who shall make, print, paint, or stain any paper, pastboard, mildboard, or scaleboard, shall be obliged to go or send farther than the market town, where his or her paper is made, printed, painted, or stained, or such boards are made, or the next market town to the place of making, printing, painting, or staining the same respectively, for the making of such oaths, affirmations, or entries, as aforesaid. ^{Entries, &c. to be at the next market town.}

XLVII. And be it further enacted, That all and every person and persons who shall make any paper, pastboard, mildboard, or scaleboard in *Great Britain*, or print, paint, or stain any paper in *Great Britain*, shall, from time to time, within six weeks after he, she, or they shall make or ought to have made such entry as aforesaid, pay and clear off all the said duties for all such paper, pastboard, or scaleboard, as shall by or for them respectively be made, and for all such paper as shall by them respectively be printed, painted, or stained, so as to be fit for use or sale, upon pain of forfeiting for every such offence double the sum of the said duty whereof the payment shall be so refused or neglected; and that no such person, after such default in payment made, shall sell, deliver, or carry out any paper, pastboard, mildboard, or scaleboard, until he hath paid and cleared off his duty, as aforesaid, on pain to forfeit double the value of the paper, pastboard, mildboard, and scaleboard, so delivered or carried out. ^{Duty to be cleared off in 6 weeks after entry, on pain of double the duty.}

XLVIII. And be it further enacted by the authority aforesaid, That all and every the officers of the said duties on paper, shall, at all times, by day or by night, and if in the night, then in the presence of a constable or other lawful officer of the peace, be permitted, upon his or their request, to enter into the house, mill, yard, drying-house, ware-house, or other place belonging ^{Officers may enter by day or night into any mills, yards, &c.} to

to take account of the kinds of paper, &c. made; and report to the commissioners, leaving a copy thereof with the maker, on pain of 40 s.

to or used by any person or persons, who, within or during the term of years last-mentioned, shall make any paper, pastboard, mildboard, or scaleboard in *Great Britain*, or shall print, paint, or stain any paper for hangings, or other uses, as aforesaid, and to take a just account of the kinds and quantities of the paper, pastboards, mildboards, and scaleboards, which shall have been made, printed, painted, or stained by such person or persons, from time to time; and shall thereof make a report or return in writing, to the respective commissioners for the said duties on paper, or such as they respectively shall appoint to receive the same, leaving a true copy, if demanded, of such report in writing under his hand, with or for the said makers of paper, pastboards, mildboards, and scaleboards, or the persons that shall print, paint, or stain such paper respectively; and such report or return of the officer or officers last-mentioned, shall be a charge upon such maker or makers of paper, pastboards, mildboards, and scaleboards, and upon the persons who shall print, paint, or stain paper, as aforesaid, respectively; and if the said officer shall refuse or neglect to give or leave a true copy of his report in writing, at the time of taking such account, being demanded, as aforesaid, every such officer for every such offence, shall forfeit and pay the sum of forty shillings for every such maker or person respectively.

Officers to be sworn.

XLIX. Provided always, That every officer, who shall be empowered to make such charge as is last-mentioned, shall, in the first place, be sworn for the due and faithful execution of his office, and the oath in that behalf shall and may be administered by all or any the commissioners of the said duties on paper, or by any of her Majesty's justices of the peace, who shall give to such officers a certificate thereof.

Officers to take an account of rags, cordage, &c. in makers custody, &c.

L. And for the better preventing of frauds, it is hereby enacted, That all and every the officers of the said duties on paper, shall also be permitted to take an account of the quantities of rags, cordage, and other materials for making the said paper, pastboards, mildboards, and scaleboards, chargeable by this act, which shall be in the custody or possession of any maker, and of all paper in the possession of any person using the art of printing, painting, or staining paper, and of their respective proceedings in making, printing, painting, or staining the same; and if any such maker or other person shall obstruct or hinder any the said officers in the execution of the powers and authorities given to him or them by this act, for ascertaining and securing the said duties relating to paper, pastboards, mildboards, and scaleboards, or the printing, painting, or staining thereof, the offenders therein for every such offence shall forfeit the sum of twenty pounds.

No paper makers, &c. to remove goods before an account has been tak-

LI. And be it further enacted by the authority aforesaid, That no person or persons who shall be a maker or makers of paper, pastboard, mildboard, and scaleboard, or shall print, paint, or stain any paper chargeable by this act, shall (under pain of forfeiting the sum of twenty pounds for every such offence)

ence) remove, carry, or send away, or suffer to be removed, ^{en thereof by} carried, or sent away any paper, by him, her, or them made, ^{the officer, &c.} printed, painted, or stained, or any pastboard, mildboard, or ^{on pain of 20 l.} scaleboard, by him, her, or them made, of which no account shall have been first taken by the proper officer, from the warehouse, workhouse, or other place where such goods shall have been first put, after their being dried and fit for use, without giving to the proper officer two days notice at the least, of his, her, or their intentions to remove, carry, or send away the same, that so the said officer (without his own wilful neglect or default) may have time to take an account thereof.

LII. And it is hereby further enacted, That all and every ^{Paper makers,} person and persons who shall be makers, of paper, pastboard, &c. to keep ^{their goods} mildboard, or scaleboard, or printers, painters, or stainers of ^{not surveyed,} any such paper, as aforesaid, shall, from time to time, keep all ^{separate, on} the paper by them respectively made, printed, painted, or stained, ^{pain of 5 l.} and all the pastboard, mildboard, and scaleboard by him or them respectively made, and which shall not have been surveyed and taken an account of by the said officers for the said duties thereupon, separate and apart from all other their paper and other commodities aforesaid, which shall have been surveyed and taken an account of by the said officers, for the space of eight and forty hours, after the making, printing, painting, or staining thereof, unless such paper, and other the goods last-mentioned, shall have been sooner surveyed and taken an account of by the said officers respectively, on pain to forfeit for every such offence therein, the sum of five pounds.

LIII. And be it further enacted, That if any of the said ^{Concealing} makers, printers, painters, or stainers, shall fraudulently hide ^{paper, &c.} or conceal, or cause to be hid or concealed any paper, pastboard, mildboard, and scaleboard made, or any paper printed, painted, or stained, chargeable by this act, or any the materials for making the same, to the intent to deceive her Majesty of the just duties by this act granted thereupon, that then, and in every such case, the party so offending shall forfeit the sum of twenty pounds for every such offence.

LIV. And be it further enacted by the authority aforesaid, ^{Paper, past-} That all paper, pastboards, mildboards, and scaleboards, and ^{boards, &c.} all materials and utensils for making them, or any of them, or ^{found in pri-} printing, painting, or staining such paper, as aforesaid, which ^{ate work-} shall be found in any private ware-house, work-house, drying- ^{house unen-} room, or other place for making, or keeping, or for printing, ^{tered, forfeited,} painting, or staining the same, for which no entry shall be made, ^{or the value.} or notice given, as aforesaid, shall be forfeited and lost, and the same or the value thereof shall and may be seized and recovered by the said officer or officers for the said duties upon paper, to her Majesty's use.

LV. And it is hereby further enacted by the authority afore- ^{All papers,} said, That all the paper, pastboard, mildboard, and scaleboard, &c. charge- ^{able with the} and all the materials and utensils for the making thereof, and for ^{duties in ar-} printing, painting, or staining such paper, as aforesaid, in the ^{rear, &c.} custody

custody of any maker or makers, or of any such printer, painter, or stainer of paper, as aforesaid, or of any person or persons, to the use of, or in trust for them, or any of them, shall be liable and subject to, and are hereby made chargeable with all the debts and duties for paper, pastboard, mildboard, and scaleboard, made, or for such paper printed, painted, or stained as aforesaid, in arrear and owing by such person or persons, or any such goods, so made, printed, painted, or stained, by him, her, or them, or in his, her, or their ware-houses, working-houses, or places aforesaid, and shall be also subject to all penalties and forfeitures incurred by such person or persons for using such work-house or other place, for any offence against this act, relating to the said duties upon such paper, pastboard, mildboard, and scaleboard; and it shall and may be lawful, in all such cases, to levy debts and penalties, and use such proceedings as may lawfully be done by this act, in relation to paper, in case the debtor or offender were the true lawful owner of the same.

Stock in hand,
on 24 June,
1712, to pay.

LVI. And be it further enacted by the authority aforesaid, That for all paper (whether the same be of foreign or *British* manufacture) and for all pastboards, mildboards, and scaleboards which any merchants, stationers, wholesale sellers, retailers, printers, paper-makers, or other dealers in paper in *Great Britain*, or any person or persons in trust for him, her, them, or for his, her, or their use, shall be possessed of, and interested in, upon the four and twentieth day of *June*, in the year of our Lord one thousand seven hundred and twelve, being for sale, and for all paper printed, painted, or stained, as aforesaid, which shall be in the hands of any person or persons for sale, on the said four and twentieth day of *June*, one thousand seven hundred and twelve, there shall be yielded and paid to her Majesty the like rates as are by this act to be paid for the like sorts of paper, pastboard, mildboard, and scaleboard respectively to be made or imported, or paper to be printed, painted, or stained, as aforesaid, after the said four and twentieth day of *June*, one thousand seven hundred and twelve; and that like entries shall be made, and the duties paid down, or secured to be paid within three months, and the like allowance shall be made for prompt payment, and all matters and things shall be done and permitted to be done for ascertaining and securing the said duties for such stocks of paper, and other commodities last-mentioned, and the like penalties and forfeitures shall be inflicted for any fraud, concealment, refusal, neglect, or other offence relating thereunto, as are by this act provided, in relation to the stocks of *wool* which any dealers therein shall have upon the said tenth day of *June*, one thousand seven hundred and twelve, or in relation to the duties thereof.

The same en-
tries, allow-
ances, penal-
ties, &c. as
for stock on
wool.

Paper, &c. that
have paid the
duty, may be
exported, on
security, &c.

LVII. Provided always, and be it further enacted by the authority aforesaid, That it shall and may be lawful to and for any person or persons, who shall have actually paid her Majesty's duties by this act payable for any quantity of paper, pastboard, mildboard, and scaleboard whatsoever, made in *Great Britain*, or

im-

imported into the same, or for any such printed, painted, or stained paper, as aforesaid, and to and for any other person or persons who shall buy, or be lawfully entitled to any such quantity of paper, or any other the goods last-mentioned, from the said person or persons who actually paid her Majesty's duties for the same, to export such paper, pastboard, mildboard, or scaleboard, or printed, painted, or stained paper, for any foreign parts, by way of merchandize, giving sufficient security before the shipping thereof for exportation, that the particular quantities of such commodities which shall be intended to be exported, as aforesaid, and every part thereof, shall be shipped and exported; and that the same, or any part thereof, shall not be re-landed or brought again into any part or parts of *Great Britain*: which security the customer or collector of the respective port of such exportation, is hereby directed and authorized to take, in her Majesty's name, and to her use.

LVIII. Provided always, That if after the shipping any such paper, or other the commodities last-mentioned, to be exported, as aforesaid, and the giving or tendering such security, as aforesaid, in order to obtain the allowance or drawback herein after-mentioned, the paper or other commodities so shipped to be exported, or any part thereof, shall be re-landed in any part of *Great Britain*, that then, and in every such case (over and above the penalties of the bond, which shall be levied and recovered to her Majesty's use) all the paper and commodities which shall be so landed, or the value thereof, shall be forfeited.

Paper, &c. re-landed, forfeited, or the value.

LIX. And it is also hereby enacted, That any person or persons, who shall export any paper, or any pastboard, mildboard, or scaleboard, or any such printed, painted, or stained paper, as aforesaid, to any foreign parts, shall or may make proof upon oath, or by such affirmation respectively, as aforesaid, that the duties thereof have been paid or secured, according to this act (which oath or affirmation the collector who received the said duties is hereby required and impowered to administer) and thereupon the said customer or collector of the said port of exportation, shall give to the exporter thereof a debenture, expressing the true quantities and kinds of such commodities so exported, and the exportation thereof being certified by the searcher upon the said debenture, the collector appointed to receive the said duties upon paper in such county or place where the same were exported (upon producing the said debenture so certified to him) shall forthwith pay the duties which shall have been received upon this act, for the paper, pastboard, mildboard and scaleboard so exported, to the persons or agents so exporting the same; and if such collector shall not have money in his hands to pay any such debenture, then the said respective commissioners for the said duties of paper, are hereby required to pay, or cause to be paid, the said debenture out of any duties upon paper arising by this act; or if the duty of such commodities aforesaid so exported, were only secured, and shall remain unpaid,

On oath that the duty has been paid or secured, and on debenture from the customer, &c. Collector to repay the duties.

then the same shall be discharged, upon the security for the same; any thing in this act contained to the contrary notwithstanding.

All the powers in 12 Car. 2. c. 24. and other excise acts, to be in force for managing these duties.

LX. And be it further enacted by the authority aforesaid, That all and every the powers, directions, rules, penalties, forfeitures, clauses, matters, and things, which in and by an act made in the twelfth year of the reign of King Charles the Second, intituled, *An act for taking away the court of wards and liveries, and tenures in Capite, and by knights service, and purveyance, and for settling a revenue upon his Majesty in lieu thereof*, or by any other law now in force, relating to her Majesty's revenue of excise upon beer, ale, and other liquors, are provided and established for managing, raising, levying, collecting, mitigating, or recovering, adjudging, or ascertaining the duties hereby granted, or any of them, (other than in such cases for which other penalties or provisions are made and prescribed by this act) shall be practised, used, and put in execution, in and for the managing, raising, levying, collecting, mitigating, recovering, and paying the said duties upon paper, and other the commodities last mentioned hereby granted, during the continuance of this act, as fully and effectually, as if all and every the said powers, rules, directions, penalties, forfeitures, clauses, matters, and things, were particularly repeated in this present act.

All fines, &c. to be sued for as by the laws of excise.

LXI. And be it further enacted by the authority aforesaid, That all fines, penalties, and forfeitures, in relation to the said duties by this act imposed upon paper, and upon printed, painted, and stained paper, and upon pasteboard, mildboard, and scaleboard, shall be sued for, levied, recovered, or mitigated, by such ways, means, and methods, as any penalty or forfeiture is or may be recovered or mitigated by any law or laws of excise, or by action of debt, bill, plaint, or information, in any of her Majesty's courts of record at *Westminster*, or in the court of session, court of justiciary, or court of Exchequer of *Scotland* respectively, as aforesaid; and that one moiety of every such fine, penalty, and forfeiture (the said penalty on the officer for not giving or leaving a copy of his charge, as aforesaid, only excepted) shall be to her Majesty, her heirs and successors, and the other moiety to him or them that shall discover, inform, or sue for the same.

Commissioners for these duties to have the same jurisdiction as commissioners of excise.

LXII. Provided always, and it is hereby enacted, That such persons as, in pursuance of this act, shall be commissioners for the said duties on the several sorts of paper, and other the commodities last mentioned, to be made, printed, painted, or stained in *England*, *Wales*, and the town of *Berwick upon Tweed*, shall have the same jurisdiction, power, and authority, and may adjudge, determine, mitigate, and order, in all cases and matters relating to the same duties arising within the limits aforesaid, as the commissioners of excise upon beer, and other liquors, may or lawfully exercise, adjudge, determine, mitigate, or order in the like cases or matters, in relation to the said duties of excise, by any law or statute now in force.

LXIII. Pro-

LXIII. Provided always, and be it enacted by the authority
aforesaid, That for the encouragement of learning, so much
money as shall, from time to time, be paid for the duties grant-
ed by this act, for any quantities of paper, which, during the
continuance of the said duties, shall be used in the printing any
books in the *latin, greek, oriental, or Northern* languages, with-
in the two universities of *Oxford and Cambridge*, or either of
them, by permission of the vice chancellors of the same respec-
tively, shall and may be drawn back and repaid in manner fol-
lowing; that is to say, The chief manager of the press in each
of the said universities shall and may, from time to time, make
proof by oath in writing before the vice chancellor (who is here-
by empowered to administer the same) expressing therein the
kinds and quantities of the paper so used, and how much the
duties thereof, payable by this act, doth amount to; which
said oath in writing being certified by the said vice chancellor,
and produced to the lord treasurer, or commissioners of the trea-
sury for the time being, the said lord treasurer, or commission-
ers of the treasury for the time being, shall forthwith, from time
to time, issue his or their orders or warrants to the respective
commissioners, who by this act are to manage the duties upon
paper, to cause payment to be made of so much money, as the
duties payable by this act for the paper so used in the printing
of the said books in the said universities, as aforesaid, shall a-
mount to; the same payment to be made (without fee or charge
whatsoever, and without delay) to such person or persons as the
said respective vice chancellors shall authorize and appoint to re-
ceive the same, out of any of the duties upon paper arising by
this act; any thing in this act contained to the contrary not-
withstanding.

Books printed
at Oxford or
Cambridge in
latin, greek,
oriental or
northern lan-
guages, to
have a draw-
back of the
duty on
paper.

LXIV. Provided always, and be it enacted by the authority
aforesaid, That for the encouragement of learning, so much as shall,
from time to time, be paid for the duties granted by this act,
for any quantities of paper, which, during the continuance of
the said duties, shall be used in the printing any books in the
Latin, Greek, Oriental, or Northern languages, within the uni-
versities of *Scotland*, or any of them, by permission of the
principal of the same respectively, shall and may be drawn back
and repaid in manner following; that is to say, the chief ma-
nager of the press in the said universities shall and may, from
time to time, make proof by oath in writing before the princi-
pal (who is hereby empowered to administer the same) express-
ing therein the kinds and quantities of the paper so used, and
how much the duty thereof payable by this act doth amount to;
which oath in writing being certified by the said principal, and
produced, the lord treasurer of *Great Britain*, or the lords com-
missioners of the treasury for the time being, shall forthwith,
from time to time, issue his or their orders or warrants to the
respective commissioners, who by this act are to manage the du-
ties upon paper, to cause payment to be made of so much mo-
ney as the duties so used in the printing of the said books in the

And in the
universities of
Scotland.

said universities of *Scotland* shall amount to; the same payments to be made without any fee or charge whatsoever, and without delay, to such person or persons as the said respective principals shall authorize and appoint to receive the same, out of any of the duties upon paper arising by this act in *Scotland*; any thing in this act contained to the contrary notwithstanding.

Pastboard made of paper that has paid the duty, not chargeable.

LXV. Provided always, and it is hereby declared, That pastboard made in *Great Britain*, of paper which shall have paid the duties charged and chargeable by this act, shall not be charged with any further or other duties by virtue of this act, upon the pasting or annexing together the sheets of such paper, and its receiving thereby the denomination of pastboard or pasted paper.

Printed linens imported to pay 15 l. per cent. ad valorem from 20 July, 1712. for 32 years.

Explained by 12 Annæ, ff. 2. c. 19. Made perpetual by 3 Geo. 1. c. 7. f. 1.

LXVI. And be it also enacted by the authority aforesaid, That there shall be raised, levied, collected and paid, to and for the use of her Majesty, her heirs and successors, for and upon all chequered and striped linens, and upon all linens printed, painted, stained or dyed, after the manufacture, or in the thread or yarn before the manufacture, in any foreign parts, which at any time or times, within or during the term of thirty two years, to be reckoned from the twentieth day of July, one thousand seven hundred and twelve, shall be imported or brought into the kingdom of *Great Britain*, and may lawfully be used or worn there (over and above all other customs, subsidies, and duties imposed upon or payable for the same) a duty after the rate of fifteen pounds for every one hundred pounds of the true and real value thereof, to be paid by the importers respectively.

These duties how to be managed.

LXVII. And it is hereby enacted, That the said duty upon such imported linens chargeable by this act, shall, from time to time, be managed, ascertained, paid, secured, raised, levied, and brought into the Exchequer, in the same manner and form, and by such rules, ways, means, and methods, and under such penalties and forfeitures, as the above said duties upon imported paper are by this act to be managed, ascertained, paid, secured, raised, levied, and brought in, as aforesaid; and that all the provisions, penalties, forfeitures, clauses, matters, and things, contained in this act, for managing, ascertaining, paying, securing, raising, levying, and bringing in the said duties upon paper imported, or any of them, shall be applied, practised, and put in execution, for managing, ascertaining, paying, raising, securing, levying, and bringing in the said duties upon the importation of such linen, as aforesaid, as fully and effectually as if the same were again repeated in this present act.

After duty paid, printed linens imported, to be stamped.

LXVIII. And moreover it is hereby enacted by the authority aforesaid, That from and after the said duties hereby granted upon the said chequered, striped, printed, painted, stained, and dyed linens imported, as aforesaid, from time to time, shall be paid to her Majesty's use, the respective commissioners, officer and officers of the customs of the port or place where the same shall be imported, shall cause every piece and parcel thereof to be marked or stamped with a distinct seal or mark, to be provided

ed and used as this act directs, to denote the payment of the duties for the same.

LXIX. And be it further enacted by the authority aforesaid, ^{Duty on silks,} That there shall be raised, levied, collected, and paid, to and ^{callicoes, li-} for the use of her Majesty, her heirs and successors, for and up- ^{nens, and} on all silks, callicoes, linens, and stuffs, of what kind soever, ^{stuffs, printed} which, at any time or times within or during the term of thir- ^{in Great Bri-} ty two years, to be reckoned from the twentieth day of July, 1712, for 32 ^{years.} one thousand seven hundred and twelve, shall be printed, stain- ^{Made perpetual} ed, painted, or dyed in ~~Great Britain~~, (such callicoes, linens, ^{by 3 Geo. 1.} and fustians, as shall be dyed throughout of one colour only, ^{c. 7. s. r.} and stuffs made of woollen, or whereof the greatest part in value shall be woollen, always excepted) the several and respective rates and duties herein after expressed (over and above the duties payable upon the importation of them or any of them) that is to say,

For and upon all silks so printed, stained, or painted in *Great Silks, Britain* (silk handkerchiefs excepted) the sum of six pence for every yard in length, reckoning half a yard for the breadth.

And for all silk handkerchiefs so printed, stained, or painted *Silk handker-* in *Great Britain*, the sum of three pence for every yard square, *chiefs.* and in those proportions for wider or narrower silks.

For and upon all callicoes to be so printed, stained, paint- ^{Callicoes.} ed, or dyed in *Great Britain*, (except as aforesaid) the sum of three pence for every yard in length, reckoning one yard wide, and after that proportion.

And for and upon all linen and stuffs (except before except- ^{Linen and} ed) to be printed, stained, painted, or dyed, as aforesaid, in ^{stuffs.} *Great Britain*, within or during the term last mentioned, the sum of three half-pence for every yard in length, reckoning yard-wide, and after that rate for a greater or lesser quantity.

LXX. And for the better ascertaining, charging, and secur- ^{Her Majesty} ing the said duties by this act set and imposed upon all silks, cal- ^{or lord trea-} licoes, linen and stuffs, (except before excepted) which shall be ^{surer to ap-} printed, painted, stained, or dyed, as aforesaid, in *Great Bri-* ^{point commis-} *tain*, within or during the term last mentioned, and for prevent- ^{ioners.} ing of frauds concerning the same; be it further enacted by the authority aforesaid, That such commissioners or persons as her Majesty, her heirs or successors, or the high treasurer of *Great Britain* now being, or the high treasurer of *Great Britain*, or any three or more of the commissioners of the treasury for the time being, shall, from time to time, by one or more commission or commissions for that purpose appoint, shall be her Majesty's commissioners for the receipt and management of the said duties set and imposed upon all such silks, callicoes, linens and stuffs, printed, painted, stained, or dyed, as aforesaid, in *Great Britain*, as are chargeable by this act; which said commissioners, or the major part of them respectively, shall and have hereby power, ^{Who are to} by commission under their respective hands and seals, to substi- ^{substitute in-} tute ^{ferior officers.}

tute and appoint under them such receivers general, collectors, comptrollers, surveyors, and other officers, as shall be requisite and necessary for the purposes aforesaid; and that the said commissioners so to be appointed, and all the officers for the duties last-mentioned, shall have out of the same, such salaries and rewards for their respective services in relation to the same duties, as the said high treasurer now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, shall think reasonable to establish or allow in that behalf; and that the said respective commissioners for the said duties last mentioned, for the time being, shall, from time to time, cause all the monies to arise by or for the same duties, during the continuance thereof (the necessary charges of managing, collecting, raising, paying, and accounting for these duties excepted) to be also paid, from time to time, as the same shall arise, into the receipt of her Majesty's Exchequer in *England*, under the penalties and forfeitures, and disabilities herein after expressed.

Callico printers before 20 July, 1712. to give notice to the proper officer of their names and places of abode, &c.

LXXI. And it is hereby enacted by the authority aforesaid, That all and every person and persons whatsoever, who, on or before the twentieth day of *July*, in the year of our Lord one thousand seven hundred and twelve, shall print, stain, paint, or dye any of the said goods, so that a duty shall be payable by this act upon the printing, staining, painting, or dyeing the same, as aforesaid, shall, on or before the said twentieth day of *July*, one thousand seven hundred and twelve, give or leave notice in writing, at the next office for the same duties, of their respective names and places of abode, and of the place or places where every such person or persons do usually print, paint, stain, or dye, as aforesaid, any such silks, linens, callicoës, or stuffs, or dry the same; and that all and every such printer, painter, stainer, or dyer, as often as he, she, or they shall change their places of printing, painting, staining, or dyeing any the said goods, or for drying the same; and all and every person and persons who shall, at any time or times during the continuance of this act, be a printer, painter, stainer, or dyer of any such silks, callicoës, linens, or stuffs, or shall print, paint, stain, or dye any such goods, as aforesaid, shall give or leave the like notice of their respective names, and their places of abode, and the rooms and places where they shall respectively work, or intend to work in such printing, painting, staining, or dyeing, and the places where they respectively shall dry or intend to dry any such goods, as aforesaid, before they respectively do presume to work in any such new or other place or places, upon pain to forfeit the sum of thirty pounds for every neglect or default, by not giving such notice, as aforesaid.

on forfeiture of 30 l.

Such printers to make entries, &c. once in 6 weeks, on forfeiture of 30 l.

LXXII. And it is hereby further enacted by the authority aforesaid, That from and after the said twentieth day of *July*, one thousand seven hundred and twelve, during the continuance of this act, all and every person and persons who shall print, paint, stain, or dye in *Great Britain*, as aforesaid, any silks, callicoës,

callicoos, llnens, and stuffs, upon the printing, painting, staining, or dying whereof a duty is chargeable by this act, shall once in every six weeks make a true entry in writing at the next office for the same duties, of all such silks, callicoos, linens, and stuffs so by him, her, or them, severally printed, painted, stained, or dyed within every such six weeks respectively; which entries shall contain the just kinds and quantities thereof: and if such printer, painter, stainer, or dyer, be not the true owner of such goods or any of them, so printed, painted, stained, or dyed, then, and in every such case, he, she, or they, in every such entry, shall specify the names and places of abode of the persons who are the owners thereof, or for whose account they respectively do print, paint, stain, or dye the same, on pain to forfeit for every neglect of such entry, the sum of fifty pounds; which entry shall be made upon the oath of the printer, painter, stainer, or dyer, or of his, her, or their chief workman employed, to the best of their knowledge or belief, unless he, she, or they be a known quaker, and the solemn affirmation of a known quaker, to the same effect, shall be taken instead of such oath; and the said oaths and affirmations to verify such entries, shall and may be administered by the proper collector or supervisor of the district or division within which such printer, painter, stainer, or dyer, doth inhabit, without any fee or charge whatsoever to be demanded or taken for the same.

LXXIII. Provided always, That no person for the making such entries, oaths, or affirmations as are last mentioned, shall be obliged to go or send further than the market town where his or her silks, callicoos, linen, or stuffs are printed, painted, stained, or dyed, or the next market town to the place of printing, painting, staining, or dying the same.

Entries, &c.
to be made at
the next mar-
ket town.

LXXIV. And be it further enacted by the authority aforesaid, That all and every person and persons who shall print, paint, stain, or dye, as aforesaid, any silks, callicoos, linens, or such stuffs, as aforesaid in *Great Britain*, shall, from time to time, within six weeks after he, she, or they shall make, or ought to have made such entry, as aforesaid, clear off all the said duties which shall be then due or remain unpaid, for all such silks, callicoos, linens, and stuffs, as shall have been printed, painted, stained, or dyed by him, her, or them respectively, as aforesaid, upon pain of forfeiting for every default therein double the sum of the same duties whereof the payment shall be so neglected; and that no such person, after such default in payment made, shall deliver or carry out, or cause to be delivered or carried out, any such printed, painted, stained, or dyed goods, until he hath paid and cleared off his duty, on pain to forfeit double the value of the goods, so delivered or carried out.

Printers of
silk, &c. once
in 6 weeks to
clear off the
duties, on
forfeiture of
double duty,
&c.

LXXV. And be it further enacted by the authority aforesaid, That all and every the officers of the said duties on the said printed, painted, stained, or dyed goods, shall at all times, by day or by night, and if in the night, then in the presence of a constable, or other lawful officer of the peace, be permitted, upon

Officers may
enter such
printers houses
at all times,
to take ac-
count of silks,
&c.

his or their request, to enter into the house, work-house, drying-place, ware-house, field, or other place belonging to, or used by any person or persons who, within or during the term of years last-mentioned, shall print, paint, stain, or dye any silks, calicoes, linens, or stuffs (except before excepted) and to take a just account of the kinds and quantities thereof, which shall have been printed, painted, stained, or dyed, by such person or persons, from time to time, and shall thereof make a report or return in writing to the respective commissioners for the duties last-mentioned, or such as they respectively shall appoint to receive the same, leaving a true copy (if demanded) of such report in writing, under his hand, with or for the said printer, painter, stainer, or dyer respectively; and such report or return shall be a charge upon every such printer, painter, stainer, or dyer respectively; and if the said officer shall refuse or neglect to give or leave a true copy of his report at the time of taking such account, being demanded, as aforesaid, every such officer, for every such offence, shall forfeit the sum of forty shillings to every such printer, painter, stainer, or dyer respectively.

and make a report to the commissioners, leaving a copy with the printer, on pain of 40 s.

Officers to be sworn.

LXXVI. Provided always, That every officer, who shall be impowered to make such charge as is last-mentioned, shall in the first place be sworn for the due and faithful execution of his office; and the oath in that behalf shall and may be administered by all or any the commissioners for the duties last-mentioned, or by any of her Majesty's justices of the peace, who shall give to such officer a certificate thereof.

Officers to take an account of the quantities of silks, &c. in the printers hands.

LXXVII. And for the better prevention of frauds, be it further enacted, That all and every the officers of the said duties on such printed, painted, stained, or dyed goods, as aforesaid, shall also be permitted to take an account of the quantities of silks, calicoes, linens, and stuffs, which shall, at any time or times, be in the custody or possession of any printer, painter, stainer, or dyer, to be printed, painted, stained, or dyed; and in case such officer or officers shall miss any quantity or quantities of such silk, calicoes, linen, or stuffs, whereof he had taken an account at his last survey, and shall not upon reasonable demand receive satisfaction what is become of the same, then, and in every such case, it shall and may be lawful for such officer to charge such printer, painter, stainer, or dyer, with the duties of such silks, calicoes, linens, or stuffs so missing, as if the same were printed, painted, stained, or dyed.

Obstructing officer forfeit 20 l.

LXXVIII. And be it enacted, That if any person or persons, who shall print, paint, stain, or dye any the goods aforesaid, shall obstruct or hinder any the said officers in the execution of the powers given by this act, for ascertaining and securing the duties thereupon, the offenders therein, for every such offence, shall forfeit the sum of twenty pounds.

Printers not to remove the silk, &c. till officer has taken account

LXXIX. And be it further enacted by the authority aforesaid, That no person or persons who shall print, paint, stain, or dye, any silks, calicoes, linens, or stuffs, chargeable with the said duties by this act, shall remove, carry, or send away, or suffer

suffer to be removed, carried, or sent away, any the silks, callicoes, linsens, or stuffs, by him, her, or them printed, painted, stained, or dyed respectively, until such time as the proper officer shall have taken an account of every particular quantity of such goods so to be carried away, and until every particular piece and parcel, or remnant of such goods, be duly marked with a stamp or seal, denoting the charging of the duty, as this act directs, upon pain of forfeiting the sum of twenty pounds for every such offence; and that all the printed, painted, stained, or dyed silks, callicoes, linsens, and stuffs, so carried away, without being marked with a stamp or seal, denoting the charging of the said duties, and being found in the possession of any draper, or other trader or dealer therein, or any person for the use of such draper, trader, or dealer, for sale, shall and may be seized, or the value thereof shall and may be recovered, to wit, one moiety thereof for the use of her Majesty, and the other moiety to the use of the seizer, or informer.

thereof, or before marking, on forfeiture of 20 l. &c.

See 5 Geo. 1. c. 11. s. 15.

LXXX. And it is hereby ordained and enacted by the authority aforesaid, That upon payment of the said duties for any quantity of the said printed, painted, stained, or dyed goods, the receiver or collector shall give a receipt for the same *gratis*.

Receipts gratis.

LXXXI. And it is hereby further enacted, That all and every the said printers, painters, stainers, and dyers of the said silks, callicoes, linsens, and such stuffs, as aforesaid, shall, from time to time, keep so much of the same goods as shall not have been surveyed and taken an account of by the proper officers, separate and apart from all others of the same kinds, which shall have been surveyed and taken an account of by such officers, on pain to forfeit, for every offence therein, the sum of five pounds.

Silk not surveyed, to be kept separate on pain of 5 l.

LXXXII. And be it further enacted, That if any of the said printers, painters, stainers, or dyers, shall fraudulently hide or conceal, or cause to be hid or concealed, any silk, callico, linen, or stuffs, before or after the same are printed, painted, stained, or dyed, with intent to deceive her Majesty of her just duties by this act granted, then, and in every such case, the party so offending shall forfeit the sum of twenty pounds for every such offence; and all the silks, callicoes, linsens, and stuffs, which shall be found in any private work-house, or other place, whereof no notice shall have been given as aforesaid, or the value thereof, shall and may be seized and recovered, to wit, one moiety thereof to the use of her Majesty, and the other moiety to the use of the seizer, or informer, as aforesaid.

Such silks concealed forfeit 20 l. &c.

LXXXIII. And be it enacted, That all the utensils and instruments for the printing, painting, staining, or dying of any such goods, as aforesaid, in the custody of any such printer, painter, stainer, or dyer, as aforesaid, or of any person or persons, to the use of or in trust for them, or any of them, shall be liable to, and are hereby made chargeable with all the debts and duties in arrear and owing by such printer, painter, stainer, or dyer, for any such silks, callicoes, linsens, or stuffs, printed, painted, stained, or dyed by him, her, and them, or in his, her, or their work-

Utensils, &c. for printing silks, &c. chargeable with the duties in arrear.

workhouses or places aforesaid; and shall be also subject to all penalties and forfeitures incurred by such person or persons to using such workhouse, or other place, for any offence against this act, relating to the duties of such printed, painted, stained, or dyed goods; and it shall and may be lawful in all such cases, to levy debts and penalties, and use such proceedings as may lawfully be done by this act, in relation to such goods; in case the debtor or offender were the true and lawful owner of the same.

LXXXIV. And whereas several printers, painters, stainers, and dyers, and also several merchants, drapers, mercers, upholders, and other traders and dealers, have or may have, on the twentieth day of July, one thousand seven hundred and twelve, for sale either by wholesale or retail, several stocks or quantities of such chequered and striped linens, and painted, stained, and dyed linens, as aforesaid, which have been imported into Great Britain, and several stocks and quantities of such silks, calicoes, linens, and stuffs, as aforesaid, which have been printed, painted, stained, or dyed, as aforesaid, in Great Britain;

Stock in hand on 20 July to pay one half part of the duty.

be it further enacted by the authority aforesaid, That all and every such printers, painters, stainers, dyers, drapers, mercers, upholders, traders, and dealers respectively, having on the said twentieth day of July, one thousand seven hundred and twelve, in his, her, or their custody or possession, or in the custody or possession of any other person or persons, for his, her, or their use, benefit, or account, any stock or quantity of such chequered or striped linens, or of such printed, painted, stained, or dyed silks, calicoes, linens, or such stuffs, as aforesaid, being for sale either by wholesale or by retail, shall yield and pay to her Majesty for the same, so much money as one half part of the rates and duties by this act imposed on the like respective commodities after the commencement of this act, shall amount unto; the said half part for the said stocks, to be paid within three months after the said twentieth day of July, one thousand seven hundred and twelve.

A particular of stock in hand to be given in upon oath, &c.

LXXXV. And to the end the said stocks may be known and discovered, and the said rates for the same may be ascertained and answered; be it further enacted by the authority aforesaid, That all and every the said printers, painters, stainers, dyers, mercers, drapers, upholders, traders, and dealers respectively, shall deliver or cause to be delivered, on or before the said twentieth day of July, one thousand seven hundred and twelve, to the proper officer to be appointed in this behalf, a particular in writing signed by themselves or their appointments, of their several stocks before-mentioned, describing the whole quantities and kinds thereof distinctly, as they are charged in this act, and shall verify the said particular by such oath or affirmation respectively, as aforesaid, to the best of his, her, or their knowledge and belief; which oath or affirmation shall and may be administered by the proper officers who shall be appointed to receive the said particular; and the proper officers to be appointed for charging the duties on the said printed, painted, stained, or dyed goods,

Officers may enter any shops, &c. to view stock in hand:

goods, are hereby authorized and impowered to enter into any shops, warehouses, or other places whatsoever, where any such stock of such goods shall be or remain, there to view the same, and to take an account thereof; and all and every the said person or persons chargeable as aforesaid, for their respective stock of such goods, shall be obliged, by force and virtue of this act, if thereunto required, to permit and suffer the proper officer and officers to make such entrance and view as aforesaid; and if any person or persons shall refuse to permit or suffer such officer or officers to enter into their shops, warehouses, or other places (being thereunto required) to view the said stocks of chequered and striped linens, and of such printed, painted, stained, or dyed silks, callicoes, linens, and stuffs, as aforesaid, or any of them, and every part thereof, then every such person, for every such refusal, shall forfeit the sum of fifty pounds.

Refusal to per-
mit them for-
feits 50l.

LXXXVI. And it is hereby enacted, That the collector upon the receipt of any the said duties for such stocks of chequered and striped linens, and of such printed, painted, stained, or dyed silks, callicoes, linens, and stuffs, or any of them, shall give a receipt for the same gratis; and in case the said duties for

Duty on stock
not paid by
29 Sept. 1712.
or secured,
&c. Officer
may distrain.

such stocks shall not be paid on or before the nine and twentieth day of *September*, one thousand seven hundred and twelve, or if before that time, the same be not secured to be paid on or before the five and twentieth day of *December*, one thousand seven hundred and twelve (which security the proper officers are hereby required to take by bond in her Majesty's name and to her use) then such officer or officers shall and may, by virtue of this act, levy such duties for the said stock that shall not be paid or secured, by distress of the goods and chattels of the person or persons, bodies politick or corporate liable thereunto, and for non-payment, may sell such distress within ten days, tending the overplus (if any be) to the owner, after satisfaction of the duty and charge of the said distress.

LXXXVII. Provided always, That if any such person or persons chargeable for such stock, shall pay or cause to be paid his or their duties for the same, within the said space of three months, he, she, or they shall be allowed for such prompt payment after the rate of ten pounds *per centum per annum* for every sum so advanced.

10l. per cent.
discount for
prompt pay-
ment.

LXXXVIII. And be it enacted by the authority aforesaid, That if any person or persons who ought to give such particular of such stock of the chequered, and striped linens, and of such printed, painted, stained, and dyed goods, as aforesaid, or any of them, shall neglect to give a particular of the same, in such manner and form, as aforesaid, on or before the twentieth day of *July*, one thousand seven hundred and twelve, or shall wittingly or willingly omit or leave out of the same any part of his, her, or their said stock, to the intent to defraud her Majesty, or shall fraudulently remove, carry away, or conceal his, her, or their said stock, or any part thereof, before her Majesty's duty thereupon shall be paid or secured, as aforesaid, that then, and

Not giving in
a particular of
stock,

or omitting
any part there-
of, or remov-
ing stock be-
fore duty be
paid, &c.
forfeits 50l.
and goods.

in every such case, he, she, or they so offending, for every such offence shall forfeit the sum of fifty pounds; and in all and every such case and cases, the stock or quantity of such goods, for which no such particular shall have been given, or which shall be fraudulently omitted out of the same, or which shall be so concealed or carried away before her Majesty's duty shall be paid or secured, shall be forfeited, and shall and may be seized by any of her Majesty's officers, to wit, one moiety thereof to the use of the Queen, and the other moiety thereof to the use of the seizer.

After the duty is paid, linens to be stamped.

LXXXIX. And it is hereby further enacted by the authority aforesaid, That from and after the duties of the said stock of chequered and striped linens, and of such printed, painted, stained, or dyed goods, as aforesaid, or any of them, shall be paid or secured, as aforesaid, the officer or officers for the same duties, shall cause every piece, parcel, or remnant whereof the duty shall be so paid or secured, to be marked with such distinct mark as this act directs, to be provided and used to denote the paying or securing such duty, as aforesaid.

No fee for entries, &c

XC. Provided always, and it is hereby enacted, That no fee or reward shall be had or taken by any of the said officers, from any of the said printers, painters, stainers, dyers, mercers, drapers, or others, for any entries, accounts, receipts, or marks, before in this act mentioned, or any of them, under the penalty of five pounds to be forfeited to the party grieved for every such offence.

All the powers in 12 Car. 2. c. 24. and other excise acts, to be in force for managing these duties.

XCI. And be it further enacted by the authority aforesaid, That all and every the powers, directions, rules, penalties, forfeitures, clauses, matters, and things, which in and by an act made in the twelfth year of the reign of King Charles the Second, intituled, *An act for taking away the court of wards and liveries, and tenures in capite, and by knights service, and purveyance, and for settling a revenue upon his Majesty, in lieu thereof*, or by any other law now in force relating to her Majesty's revenue of excise upon beer, ale, or other liquors, are provided and established, for managing, raising, levying, collecting, mitigating, or recovering, adjudging, or ascertaining the duties thereby granted, or any of them (other than in such cases for which other penalties or provisions are made or prescribed by this act) shall be practised, used, and put in execution, in and for the managing, raising, levying, collecting, mitigating, recovering, and paying the said duties hereby granted upon the said printed, painted, stained, or dyed silks, calicoes, linens, and stuffs, during the continuance of this act, as fully and effectually as if all and every the said powers, rules, directions, penalties, forfeitures, clauses, matters, and things, were particularly repeated in this present act.

All fines, &c. to be sued for as by the laws of excise.

XCII. And be it further enacted by the authority aforesaid, That all fines, penalties, and forfeitures, in relation to the said duties by this act imposed upon any silks, calicoes, linens, or stuffs, printed, painted, stained, or dyed in *Great Britain*, as aforesaid,

foreſaid, ſhall be ſued for, levied, recovered, or mitigated, by ſuch ways, means, and methods, as any fine, penalty, or forfeiture is or may be recovered or mitigated by any law or laws of exciſe, or by action of debt, bill, plaint, or information in any of her Maſteſty's courts of record at *Weſtmiſter*, or in the court of ſeſſion, court of juſticiary, or court of Exchequer in *Scotland* reſpectively, as aforeſaid; and that one moiety of every ſuch fine, penalty, and forfeiture (not otherwiſe appointed by this act) ſhall be to her Maſteſty, her heirs and ſucceſſors, and the other moiety to him, her, or them that ſhall diſcover, inform, or ſue for the ſame.

XCIII. Provided always, and it is hereby enacted, That ſuch perſons as, in purſuance of this act, ſhall be commiſſioners for the ſaid duties on the ſaid ſilks, callicoos, linens, and ſtuffs, printed, painted, ſtained, or dyed in *England, Wales*, and the town of *Berwick upon Tweed*, ſhall have the ſame juriſdiction, power and authority, and may adjuſt, determine, mitigate, and order, in all caſes and matters relating to the ſame duties ariſing within the limits aforeſaid, as the commiſſioners of exciſe upon beer, ale, and other liquors, may or can lawfully exerciſe, adjuſt, determine, mitigate, or order, in the like caſes or matters in relation to the ſaid duties of exciſe, by any law or ſtatute now in force.

XCIV. Provided always, and be it further enacted by the authority aforeſaid, That it ſhall and may be lawful to and for any perſon or perſons, who ſhall have actually paid her Maſteſty's duties by this act payable for any of the ſaid imported linens, or for any ſilks, callicoos, linens, or ſtuffs, to be printed, painted, ſtained, or dyed, as aforeſaid, in *Great Britain*, and to and for any other perſon or perſons, who ſhall buy, or be lawfully entitled to any ſuch imported linens, or any ſuch goods printed, painted, ſtained, or dyed, as aforeſaid, in *Great Britain*, from the perſon or perſons, who actually paid her Maſteſty's duties payable by this act for the ſame, to export any ſuch goods for which the duty was ſo paid for any foreign parts, by way of merchandize, giving ſufficient ſecurity before the ſhipping thereof, that the particular quantities ſo intended to be exported, and every part thereof, ſhall be ſhipped and exported, and not to be relanded or brought again into any part or parts of *Great Britain*; which ſecurity the cuſtomer or collector of the port of exportation ſhall take in her Maſteſty's name, and to her uſe.

XCv. Provided always, That if after the ſhipping of any ſuch goods, and the giving or tendering ſuch ſecurity, as aforeſaid, in order to obtain the allowance or drawback herein after-mentioned, the ſame, or any part thereof, ſhall be relanded in any part of *Great Britain*, that then, and in every ſuch caſe (over and above the penalty of the bond, which ſhall be levied and recovered to her Maſteſty's uſe) all the ſaid goods, which ſhall be ſo landed, or the value thereof, ſhall be forfeited.

XCvi. And

On oath that
the duty has
been paid;

and on debenture
from the
customs, &c
collector to
repay the du-
ties.

XCVI. And it is also hereby enacted, That any person or persons who shall export any such chequered, striped, printed, painted, stained, or dyed goods, as aforesaid, to or for any foreign parts, shall and may make proof upon oath, or by such affirmation respectively, as aforesaid, that the duties thereof have been paid or secured according to this act (which oath or affirmation, the customer or collector of the port of exportation is hereby required and impowered to administer) and thereupon the said customer or collector of the said port of exportation shall give to the exporter thereof a debenture, expressing the true kinds and quantities of the chequered and striped linens, and of the said printed, painted, stained, and dyed goods so exported; and the exportation thereof being certified by the searcher upon the said debenture, the collector appointed to receive the said duties upon such chequered and striped linens, printed, painted, stained, and dyed goods, in the county or place where such exportation was made (upon producing the said debenture so certified to him) shall forthwith pay the duties which shall have been received upon this act for the goods so exported, to the persons or agents so exporting the same; and if such collector shall not have money in his hands to pay any such debenture, then the respective commissioners for the said duties on chequered and striped linens, printed, painted, stained, and dyed goods, are hereby required to pay or cause to be paid the said debenture out of any the duties upon chequered and striped linens, printed, painted, stained, and dyed goods, arising by this act; or if the duty of the goods so exported were only secured, and shall remain unpaid, then the same shall be discharged upon the security for the same; any thing in this act contained notwithstanding.

Commissioners of the customs to provide stamps for the imported linens.

Commissioners for managing the duties on painted silks, &c. also to provide stamps.

XCVII. And be it further enacted by the authority aforesaid, That the respective commissioners of the customs in *Great Britain*, shall, on or before the twentieth day of *July*, one thousand seven hundred and twelve, provide or cause to be provided such and so many seals or stamps with which all the said imported linens, during the continuance of this act, shall be marked, upon payment of the duties thereof, as aforesaid, and shall cause the same to be delivered to the proper officers of the customs for that purpose; and that the respective commissioners to be appointed for managing the said duties upon silks, callicoes, linens, and stuffs, to be printed, painted, stained, or dyed in *Great Britain*, shall, on or before the twentieth day of *July*, one thousand seven hundred and twelve, provide proper seals or stamps, of another kind, for marking such of the said silks, callicoes, linens, and stuffs, to be printed, painted, stained, or dyed in *Great Britain*, as aforesaid, during the continuance of this act, as are to be stamped and marked, for and in order to the charging of the respective duties for the same, and also so many seals or stamps, of a third kind, with which all the said stocks or quantities of chequered and striped linens, and of such printed, painted, stained, or dyed goods, as aforesaid, on the said twentieth day of *July*, one thousand seven hundred and

and twelve, upon paying or securing the said half duties for the same, are to be marked or stamped, and shall cause the said respective seals or stamps to be distributed to the respective officers for the several purposes before mentioned; which officers are hereby enjoined and required, in using the same, to do no hurt or damage, or the least damage that may be to the goods to be so marked or stamped; and the said respective commissioners, in providing the said respective seals or stamps, shall take care that they be so contrived, that the impression thereof may be durable, and so as the same may be least liable to be forged or counterfeited; and that the said stamps, or any of them, shall or may be altered or renewed, from time to time, as her Majesty, her heirs or successors, shall think fit; and if any person or persons whatsoever, shall, at any time or times hereafter, counterfeit or forge any stamp or seal to resemble any stamp or seal which shall be provided or made in pursuance of this act, or shall counterfeit or resemble the impression of the same upon any of the said commodities chargeable by this act, thereby to defraud her Majesty, her heirs or successors, of any of the said duties hereby granted, then every such person so offending, being thereof convicted in due form of law, shall be judged a felon, and shall suffer death as in cases of felony, without benefit of clergy; and if any person or persons shall, at any time or times, during the continuance of this act, sell any printed, painted, stained, or dyed silks, callicoes, linens, or other stuffs, as aforesaid, with a counterfeit stamp thereupon, knowing the same to be counterfeited, and with an intent to defraud her Majesty, her heirs or successors, all and every such offender and offenders, their aiders, abettors, and assistants (being duly convicted, as aforesaid) shall, for every such offence, forfeit and lose to her Majesty, her heirs and successors, the sum of one hundred pounds, and shall be adjudged to stand in the pillory in some publick place for the space of two hours.

Stamps may be altered by her Majesty. Counterfeiting stamps, felony.

Selling with a counterfeit stamp, forfeits 100l. and pillory.

XCVIII. And be it further enacted and ordained by the authority aforesaid, That at any time or times, during the continuance of this act, upon oath made by any credible person or persons, that he, she, or they have reason to suspect or believe, that any printed, painted, stained, or dyed silks, callicoes, linens, or stuffs, as aforesaid, for which a duty ought to have been paid or charged by this act, are or shall be in the custody or possession of any draper, or other person or persons trading or dealing therein, or of any person or persons, for the use or account of such draper, or other trader or dealer, for sale, without having thereupon such marks or stamps as are by this act required, to denote the payment or charging of the said duties thereupon; it shall and may be lawful to and for the commissioners, who shall be appointed for the said duties upon silks, callicoes, linens, or stuffs, printed, painted, stained, or dyed in *Great Britain*, or the major part of them, within the limits of the weekly bills of mortality, or any two justices of the peace in any other parts of the kingdom of *Great Britain*, from time to time, to

Commissioners or justices may issue warrants for seizing all silks, &c. unmarked.

to issue their respective warrants or orders, thereby authorizing and requiring any officer or officers for the same duties (with the assistance of a constable, or other officers of the peace) in the day time, to search for the same, and to open doors, chests, trunks, and package, and to seize such goods, and to bring them to the office for the said duties next to the place where they shall be so seized, in order to a further proceeding thereupon according to this act; and that every such warrant and order shall and may be obeyed and executed accordingly.

Calicoes with-
in, or not ex-
ceeding one
eighth of
yard broad, to
pay as yard
broad.

XCIX. And for the more easy collecting the duties, and preventing disputes that may arise from the difference of the breadths of calicoes which are or shall be printed, painted, or stained; be it enacted and declared, That all such calicoes which are or shall be printed, painted, or stained, and which shall be within one eighth part of a yard of yard broad, or not exceeding one eighth part of a yard of yard broad, shall pay as yard broad, and no more nor less; any thing in this act to the contrary notwithstanding.

New stamp
duties for 33
years from
1 Aug. 1712.

C. And moreover be it enacted by the authority aforesaid, That there shall be raised, levied, collected, and paid, to and for the use of her Majesty, her heirs and successors, for the several and respective things herein after mentioned, which, at any time or times within or during the term of thirty two years, to be reckoned from the first day of *August*, in the year of our Lord one thousand seven hundred and twelve, shall be ingrossed, printed, or written, the several and respective rates, duties, charges, and sums of money herein after expressed, in manner following; that is to say,

Made perpetual
by 3 Geo. 1.
c. 7. f. 1.

Copies of
court roll in
England, &c.
copies of admit-
tances to custom
right, and ten-
nant right
estates are ex-
empted by 12
Ann. stat. 1.
c. 3. f. 49.

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which shall be ingrossed or written, within or during the term last mentioned, any surrender of or admittance to any copyhold land or tenement within those parts of *Great Britain* called *England*, *Wales*, and the town of *Berwick* upon *Tweed*, or any grant or lease by copy of court roll, or any other copy of the court roll of any honour or manor within the same parts of *Great Britain*, or any of them, (other than and except the original surrender to the use of a will, and the court roll or book wherein the proceedings of the court are entred or inrolled) the sum of two shillings and three pence sterling.

Original in-
strument of
surrender of
heretable
rights in Scot-
land.

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which shall be ingrossed or written, within or during the same term, any principal or original instrument of surrender, or resignation of any messuages, houses, lands, tenements, hereditaments, tithes, mills, fishings, and other heretable rights, or any of them, to be made to any of her Majesty's subjects, who are or shall be the superiors thereof, or to any city, town, burgh, or corporation, or to any magistrates or others who have power to receive such surrenders or resignations in *Scotland*, the sum of two shillings and three pence sterling.

For

For every skin or piece of vellum or parchment, or sheet or Charter or re-
piece of paper, upon which shall be ingrossed or written, within signation, &c.
or during the same term, any charter or resignation, confirma-
tion, *Novo damus*, or charter upon apprising, or adjudication
made or granted by such superior, or others, as aforesaid, in
Scotland, the sum of two shillings and three pence sterling.

For every skin or piece of vellum or parchment, or sheet or Original re-
piece of paper, upon which shall be ingrossed or written, within tour, &c.
or during the same term, any principal or original retour of any
service of heirs, or any precept of *Clare Constat* of lands or tene-
ments holding of any subject, as aforesaid, in *Scotland*, the sum
of two shillings and three pence sterling.

For every skin or piece of vellum or parchment, or sheet or Original fal-
piece of paper, upon which shall be ingrossed or written, within sine, &c.
or during the same term, any principal or original fines, taken
or following upon any mortgage, wadset, heretable bond, ali-
enation or disposition, or upon any charter, precept of *Clare*
Constat, retours, apprisings, or adjudications of lands or tene-
ments holding of any subject, as aforesaid, in *Scotland*, the sum
of two shillings three pence sterling.

For every skin or piece of vellum or parchment, or sheet or Original in-
piece of paper, upon which shall be ingrossed or written, within strument of
or during the same term, any principal or original instrument surrender of
of surrender, or resignation, service, or cognition of heirs, burgage te-
charter or fines of any houses, lands, tenements, or heredita- nure.
ments holding burgage, or of burgage-tenure in *Scotland*, the
sum of two shillings three pence sterling.

And for every piece of vellum, parchment, or paper, upon Transfers of
which shall be written at any time or times, within or during stock.
the term last mentioned, any transfer of stock in any company,
Society, or corporation whatsoever within *Great Britain*, (over
and above the present duties payable to her Majesty for the
same) the sum of two shillings and three pence sterling.

CI. And be it enacted by the authority aforesaid, That Duty on pam-
there shall be raised, levied, collected and paid, to and for the phlets, &c.
use of her Majesty, her heirs and successors, for and upon all *Evasions of*
books and papers commonly called pamphlets, and for and *these duties*
upon all news papers, or papers containing publick news, in- *prevented by*
telligence or occurrences, which shall, at any time or times *11 Geo. 1.*
within or during the term last mentioned, be printed in *c. 8. s. 14.* *Great*
Britain, to be dispersed and made publick, and for and upon
such advertisements as are herein after mentioned, the respective
duties following; that is to say,

For every such pamphlet or paper contained in half a sheet, Half sheet.
or any lesser piece of paper, so printed, the sum of one half-
penny sterling.

For every such pamphlet or paper (being larger than half a One whole
sheet, and not exceeding one whole sheet) so printed, a duty sheet.

after the rate of one penny sterling for every printed copy thereof.

Larger pamphlets.

And for every such pamphlet or paper, being larger than one whole sheet, and not exceeding six sheets in octavo, or in a lesser page, or not exceeding twelve sheets in quarto, or twenty sheets in folio, so printed, a duty after the rate of two shilling sterling for every sheet of any kind of paper which shall be contained in one printed copy thereof.

Advertisements.

And for every advertisement to be contained in the *London Gazette*, or any other printed paper, such paper being dispersed or made publick weekly, or oftner, the sum of twelve pence sterling.

Salvo for acts of parliament, &c.

CII. Provided always, That this act shall not extend to charge any acts of parliament, proclamation, order of council, forms of prayer and thanksgiving, or any acts of state which shall be ordered by her Majesty, her heirs or successors, to be printed, or the printed votes, or other matters which are or shall be ordered to be printed by either house of parliament, with any of the said duties on pamphlets or news papers, or to charge any books commonly used in any the schools of *Great Britain* or any books containing only matters of devotion or piety, with the said duties on pamphlets, or to charge any single advertisement printed by itself, or the daily accounts or bills of goods imported and exported, or the weekly bills of mortality, (so as such accounts or bills do contain no other matters than what have been usually comprized therein) with any the duties aforesaid; any thing herein contained to the contrary notwithstanding.

Commissioners of the stamps to manage their duties.

CIII. And be it further enacted by the authority aforesaid, That for the better and more effectual levying, collecting, and paying unto her Majesty, her heirs and successors, the said several duties hereby granted and made payable for or in respect of the said several and respective matters and things to be ingrossed, written, or printed, as aforesaid, the same shall be under the government, care, and management of the commissioners for the time being, appointed to manage the duties payable to her Majesty, her heirs and successors, and charged on stamp vellum, parchment, and paper, who, or the major part of them, are hereby required and impowered to employ the necessary officers under them for that purpose, and to cause all such further new stamps to be provided, to denote the duties last mentioned, as shall be requisite, and to do all other things necessary to be by them done, for the putting this act in due execution with relation to those duties.

Vellum, &c. to be stamped before written on, &c.

CIV. And it is hereby further enacted by the authority aforesaid, That all vellum, parchment and paper, upon which any of the last mentioned several and respective matters and things shall, from and after the said first day of *August*, one thousand seven hundred and twelve, be respectively ingrossed, written, or printed (the paper to be used in printing the said pamphlets exceeding

ceeding one sheet, as aforesaid, only excepted) shall before such ingrossing, writing, or printing, be brought to the head office for stamping or marking of vellum, parchment, and paper, and the same commissioners by themselves or by their officers employed under them, shall, and they are hereby impowered and required forthwith, upon demand to them made by any person or persons from time to time, to stamp or mark, as this act directs, any quantities or parcels of vellum, parchment, or paper, he or they paying to the receiver general of the stamp duties for the time being, or to his deputy or clerk, for the use of her Majesty, her heirs and successors, the respective duties payable for the same by this act, without any other fee or reward, and without delay; which stamp or mark to be put thereupon in pursuance of this act, shall be a sufficient discharge for the several and respective duties hereby payable for the said vellum, parchment, and paper, which shall be so stamped or marked.

CV. And be it further enacted by the authority aforesaid, That if any person or persons, or corporation, shall, from and after the said first day of *August*, one thousand seven hundred and twelve, within or during the term last mentioned, write, ingross, or print, or cause to be written, ingrossed, or printed, or sign any of the last mentioned several and respective matters and things, or sell, utter, or expose to sale any such pamphlet or news paper, as aforesaid, (the said pamphlets exceeding one sheet, as aforesaid, only excepted) before the vellum, parchment, or paper, whereupon the same shall be respectively ingrossed, written, or printed, shall appear to have been so duly stamped or marked, as aforesaid, That then every such person or corporation, so offending in any of the particulars before mentioned, shall for every such offence forfeit the sum of ten pounds, together with full costs of suit; and every steward, or other officer, or his deputy, offending herein, and being convicted of any such offence, shall (over and besides the forfeiture or penalty aforesaid) forfeit and lose his office and employment, and be incapable to hold the same; and that if any of the said several and respective matters and things, so to be ingrossed or written, as aforesaid, shall, during the term last mentioned, be written or ingrossed, contrary to the true intent and meaning hereof, upon vellum, parchment, or paper, not appearing to have been duly stamped or marked according to law, that then and in every such case there shall be due, answered and paid to her Majesty, her heirs and successors (over and above the duties hereby payable) for every such matter and thing respectively, the sum of five pounds; and that no such matter or thing shall be available in law or equity, or be given in evidence, or admitted in any court, unless as well the said duties hereby charged, as the said sum of five pounds, shall be first paid to the use of her Majesty, her heirs or successors, and a receipt produced for the same under the hand of the receiver general for the time being, of the stamp duties, or of his deputy or clerk, and until the vellum, parchment, or paper, on which

Penalty on persons writing on vellum, &c. before stamped, 10l.

Steward or officer offending for forfeit places, &c.

No writing before paper be stamped, good, till 5l. paid to the Queen, and the duty be paid.

such matter or thing is so written or ingrossed, shall be marked or stamped, according to the tenor and true meaning hereof, and the said receiver general, and his deputy or clerk, are hereby enjoined and required, upon payment or tender of the said duty, payable by virtue hereof, and of the said sum of five pounds, to give a receipt for such money; and the other proper officers are thereupon required to mark or stamp such matter or thing with the proper mark or stamp requisite in that behalf.

Commission-
ers to be
sworn.

CVI. And be it further enacted by the authority aforesaid, That every commissioner and officer, who shall act in or about the managing or collecting the duties last mentioned, and hereby granted, shall, before he shall act in or about the same, take the oath following, that is to say,

Their oath.

I A. B. do swear, That I will faithfully execute the trust reposed in me, pursuant to the act of parliament, whereby certain duties are charged upon surrenders of, and admittances to copyhold lands or tenements, and other the matters and things thereby directed to be stamped, as is therein mentioned, without fraud or concealment; and shall, from time to time, true account make of my doings therein, and deliver the same to such person or persons, as her Majesty, her heirs and successors, shall appoint to receive such account; and shall take no fee, or reward, or profit, for the execution or performance of the said trust, or the business relating thereto, from any person or persons, other than such as shall be allowed by her Majesty, her heirs and successors, or some other person or persons by her or them to that purpose authorized.

Which oath shall and may be administered by any two or more of the commissioners last mentioned, or any justice of the peace.

Commission-
ers to observe
the orders of
the treasury.

CVII. And be it further enacted by the authority aforesaid, That the said commissioners for managing the said duties on stamp vellum, parchment and paper, and all other officers, who shall be employed in or about the collecting or managing of the duties last mentioned, and hereby granted, shall, in and for the better execution of their said offices and trusts, observe and perform such rules, methods and orders, as they respectively shall, from time to time, receive from the lord high treasurer of Great Britain now being, or from the lord high treasurer of Great Britain, or three or more of the commissioners of the treasury for the time being; and that no fee or reward shall be demanded or taken by any her Majesty's officers relating to the said stamp duties, from any of her Majesty's subjects, for any matter or thing to be done in pursuance of this act; and in case any officer intrusted, or to be intrusted, in the execution of this act, in relation to the said stamp duties, shall refuse or neglect to perform any matter or thing by this act required to be done and performed by him, whereby any of her Majesty's subjects shall or may sustain any damage whatsoever, such officer so offending shall be liable by any action to be founded on this statute,

No fee to be
taken.

statute, to answer to the party grieved all such damages with treble costs of suit.

CVIII. And it is hereby further enacted by the authority of the said Duties, That the duties by this act granted on stamp vellum, parchment and paper, and the said duties upon news papers and pamphlets, shall be all paid, from time to time, into the hands of the receiver general, for the time being, of the said duties on stamp vellum, parchment and paper; who shall keep a separate and distinct account thereof, and pay, from time to time, all the monies arising thereby (the necessary charges of raising, paying, and accounting for the same excepted) into the receipt of the Exchequer of her Majesty, her heirs and successors, for the purposes in this act expressed.

CIX. Provided always, and it is hereby enacted, That as often as her Majesty, her heirs and successors, shall think fit to alter or renew the said marks or stamps to be provided and used for vellum, parchment, and paper, in pursuance of this act, or any of them, it shall be lawful for all persons, who shall at that time have in their custody or possession any vellum, parchment or paper, marked with the stamp or stamps which shall be so altered or renewed, and upon which none of the matters and things hereby charged, shall be ingrossed, written or printed, at any time within the space of sixty days after such intention of renewing or altering, shall be published by proclamation, to bring or send such vellum, parchment or paper to the commissioners last mentioned at the said head office, or to such officers as shall be appointed in that behalf; and the same commissioners and officers respectively are hereby required to deliver, or cause to be delivered to the several persons who shall so bring and deliver any quantity of vellum, parchment and paper, the like quantity of vellum, parchment and paper, and as good in quality, stamp with such new stamps, without demanding, or taking directly or indirectly for the same, any sum of money or consideration whatsoever, under the penalty of forfeiting for every such offence, one hundred pounds, to be sued for, recovered and divided in such manner as the other penalties in this act, relating to the said duties hereby charged on vellum, parchment and paper, are directed to be sued for, recovered, and divided; and in case any person shall neglect or refuse within the time aforesaid, to bring or cause to be brought and delivered to such commissioners or officers, as aforesaid, any such vellum, parchment, or paper, the same is hereby declared to be of no other effect or use than if it had never been stamped; and that all matters or things charged with the duties last mentioned, and hereby granted, which shall after that time be ingrossed or written thereon, shall be of no other effect than if they had been ingrossed or written on vellum, parchment, or paper not marked, or stamped at all; and all persons who shall ingross, write, or print any the matters or things hereby charged on such vellum, parchment, or paper, after the said time, shall forfeit and suffer as herein before is enacted, for persons writing, ingrossing,

These duties to be paid to the receiver general of the stamp duties.

Upon renewal of stamps those who have paper stamped by them, may have it changed in 60 days.

Penalty on officer refusing to change, 100l.

Paper not brought in within that time, of no use, &c.

ingrossing, or printing on vellum, parchment, or paper, not marked or stamped.

Proclamation for altering stamps, to be sent to the mayors, &c.

CX. Provided always, and be it further enacted, That as often as her Majesty, her heirs or successors, shall think fit to alter the said stamps, or any of them, that the proclamation which is hereby intended to be made for the giving all persons due notice thereof, shall, within thirty days after the date thereof, be sent to the mayor, chief magistrate, or other head officer of every city, corporation, borough, and market town, throughout her Majesty's kingdom of *Great Britain*; which officers respectively shall cause the same to be published to the inhabitants of such city, corporation, borough or town, either on the next market day, or next *Sunday* in the church immediately after the time of divine service, upon pain of forfeiting the sum of two hundred pounds.

Fidelity for not publishing it.

A printed copy of every pamphlet above 1 sheet, published in London, &c. to be brought to the stamp office within 6 days after printing, &c.

CXI. And for the better collecting and securing the duties hereby charged on such pamphlets containing more than one sheet of paper, as aforesaid; be it further enacted by the authority aforesaid, That one printed copy of every such pamphlet, which, from and after the said first day of *August*, one thousand seven hundred and twelve, and during the said term of thirty and two years, from thence next ensuing, shall be printed or published within the cities of *London* or *Westminster*, or within the limits of the weekly bills of mortality, shall, within the space of six days after the printing thereof, be brought to the said head office for marking or stamping of vellum, parchment, and paper; and the title thereof, with the number of sheets contained therein, and the duty hereby charged thereon, shall be registred or entred in a book there to be kept for that purpose, which duty shall be thereupon paid to the said receiver general of the stamp duties, or his deputy or clerk, who shall thereupon forthwith give a receipt for the same, on such printed copy, or the same shall be stamped to denote the payment of the duty hereby charged on such pamphlet: and that one printed copy of every such pamphlet, as last mentioned, which during the same term, shall be printed or published in any part of *Great Britain*, not being within the limits last before mentioned, shall, within the space of fourteen days after the printing thereof, be brought to some head collector of the said stamp duties, who is hereby required forthwith to enter the title thereof, with the number of sheets contained therein, and the duty hereby charged thereon, in a book to be by him kept for that purpose; which duty shall be thereupon paid to such collector, who shall thereupon give a receipt for the same on such printed copy.

If printed elsewhere, to be brought to some head collector in 14 days, to be entred, &c.

If the duty be not paid, &c. author, &c. to lose all property therein.

CXII. And be it further enacted by the authority aforesaid, That if any such pamphlet containing more than one sheet of paper, as aforesaid, shall, during the last mentioned term of two and thirty years, be printed or published, and the duty hereby charged thereon shall not be duly paid, and the title thereof registred, and one copy thereof stamped, where required

so to be, within the respective times herein before for those several purposes limited, that then the author, printer, and publisher of, and all other persons concerned in or about the printing or publishing of such pamphlet, shall lose all property therein, and in every copy thereof, although the title thereto were registred in the book of the stationers in London, according to the late act of parliament in that behalf, so as any person (notwithstanding the said act) may freely print and publish the same, paying the duty payable in respect thereof by virtue of this act, without being liable to any action, prosecution or penalty for so doing; any thing in the said act of parliament for vesting the copies of printed books in the authors or purchasers of such copies, or in any by-law contained, or any custom or other thing to the contrary notwithstanding: and the printer and publisher of such pamphlet, and every other person concerned in the printing or publishing thereof, shall, in such case, forfeit the sum of twenty pounds, with full costs of suit. and also forfeit 20l.

CXIII. And it is hereby further enacted by the authority Pamphlets to have the printer's or publisher's name printed thereon, on pain of 20l. afore said, That during the same term of two and thirty years, no person whatsoever shall sell, or expose to sale, any such pamphlet, without the true respective name or names, and place or places of abode, of some known person or persons, by or for whom the same was really and truly printed or published, written or printed thereupon, upon pain that every person offending herein, shall, for every such offence, forfeit the sum of twenty pounds, with full costs of suit.

CXIV. And in regard of the incertainty how many copies of the said printed news papers or pamphlets to be contained in one sheet, or in a less piece of paper, may be sold; and to the intent the duties hereby granted thereupon may not be lessened by printing a less number than may be sold, out of a fear of a loss thereby, in printing more such copies than will be sold; it is hereby provided and enacted, That the commissioners for managing the said stamp duties, or the major part of them, or such head officers as they shall appoint in this behalf, shall and may cancel, or cause to be cancelled, all the stamps upon such copies of any impression of such news paper or pamphlet, as last mentioned, as shall really and truly remain unfold in the hands of the person or persons by or for whom the same shall be printed or published, and upon oath or oaths made before the same commissioners, or the major part of them, or such head officer (who are hereby impowered to administer the same, and to examine into all circumstances relating to the selling or disposing of the printed copies of such news paper or pamphlet) to the satisfaction of such commissioners or head officer, that all such copies, so cancelled, shall be really and truly remaining unfold in the hands of the person or persons by or for whom the same were printed or published, and that none of them shall have been fraudulently returned or rebought after the same shall have been sold or disposed of, shall and may cause the like number of other sheets, half sheets, or less pieces of paper,

and the like
number of
other sheets
stamped gratis
to be changed
for them.

to be stamped with the same respective stamps (*gratis*, and without paying any duties for the same) for the person or persons who paid the duties for such stamps as shall be on such copies so remaining unfold; any thing herein contained to the contrary notwithstanding. And the same commissioners, or the major part of them, are hereby impowered to make such rules and orders for regulating the methods, and limiting the times for such cancelling and allowances, as aforesaid, with respect to such several and respective news papers or pamphlets, as last mentioned, as they shall, upon experience and consideration of the several circumstances, find necessary or convenient for the effectual securing the duties on such news papers and pamphlets, and doing justice to the persons concerned in the printing and publishing thereof.

Counterfeit-
ing stamps
felony.

CXV. And be it further enacted by the authority aforesaid, That if any person or persons whatsoever, shall, at any time or times hereafter, counterfeit or forge any stamp or mark to resemble any stamp or mark which shall be provided, made, or used, in pursuance of this act, or shall counterfeit or resemble the impression of the same, upon any vellum, parchment, or paper, thereby to defraud her Majesty, her heirs or successors, of any of the said duties on vellum, parchment, or paper, or shall utter, vend, or sell any vellum, parchment, or paper with such counterfeit mark or stamp thereupon, knowing such stamp or mark to be counterfeit, or if any person whatsoever shall privately and fraudulently use any stamp or mark, thereby to defraud her Majesty, her heirs or successors, of any duty upon vellum, parchment, or paper hereby granted, then every person so offending, and being thereof convicted in due form of law, shall be adjudged a felon, and shall suffer death as in cases of felony, without benefit of clergy.

Commission-
ers to furnish
stamp vel-
lum, &c.

CXVI. And be it further enacted by the authority aforesaid, That the said commissioners for the time being, appointed to manage the said duties upon stamp vellum, parchment, and paper, shall take care that the several parts of the kingdom of *Great Britain* shall, from time to time, be sufficiently furnished with vellum, parchment, and paper, stamped and marked, as aforesaid, so as the subjects of her Majesty, her heirs and successors, may have it in their election to buy the same of the officers or persons to be employed by the said commissioners at the usual and most common rates above the said duties, or to bring their own vellum, parchment, or paper to be stamped, as aforesaid, or to furnish themselves or others that shall have done the same.

Treasury to
set the prices
on stamp vel-
lum, &c.

CXVII. And for the better distribution of the said vellum, parchment, and paper, and that the subjects may have the same with more conveniency, and at an easy rate; be it further enacted by the authority aforesaid, That the lord high treasurer of *Great Britain*, now or for the time being, or the commissioners of the treasury for the time being, shall, once in every year at the least, set the prices of stamp vellum, parchment

and paper that it shall be sold at; and that the commissioners for the said duties upon vellum, parchment and paper, shall stamp the said price so set upon every skin or piece of vellum or parchment, or sheet or piece of paper so by them to be sold; and that the same commissioners shall likewise allow and pay to every person that shall bring vellum, parchment, or paper to the said head office to be stamped, in pursuance of this act, the duties whereof hereby imposed shall amount to the sum of ten pounds, or upwards, after the rate of six pounds in the hundred pounds *per annum* for six months, upon present payment of the said duties upon the said vellum, parchment, or paper, so by them bought; and that any persons that shall buy of the said commissioners, or their agents, vellum, parchment, or paper, at the head office for stamping the same, the duty whereof amounts to the sum of ten pounds, or upwards, shall have the same allowance.

Allowance of
6 per cent. for
6 months.

CXVIII. And be it further enacted by the authority aforesaid, That from and after the said first day of *August*, one thousand seven hundred and twelve, all and every person and persons who shall print or publish, or cause to be printed or published, any advertisement or advertisements, shall, within the space of thirty days after the printing or publication of such advertisement or advertisements, pay or cause to be paid the duty or duties thereon, hereby charged, to the respective persons to whom the same are hereby appointed to be paid, (that is to say) to the receiver general, for the time being, of the duties on stamp vellum, parchment, and paper, or his deputy or clerk, for the said duties for all such advertisements as shall be so printed, or published within the limits of the weekly bills of mortality; and to the next adjacent head officer, for the time being, appointed for collection of the said stamp duties, the said duties hereby charged for and upon all such advertisements, as aforesaid, which shall be printed or published in any place out of those limits; and the commissioners and officers last-mentioned, or such of them to whom it shall appertain, are hereby required, upon payment of the duties hereby charged on such advertisement or advertisements, without any other fee or reward, to stamp with the proper stamp, to be provided for that purpose, one copy of such advertisement or advertisements, or to give a receipt for the duty or duties hereby charged thereupon, in testimony of the payment thereof; and in default of such payment within the time herein before for that purpose limited, the printer or publisher of every such advertisement shall be liable to pay treble the duties before by this act chargeable thereupon, to be recovered with full costs of suit.

The duty on
advertisements to be
paid within
30 days.

Default of
payment for-
feits treble
the duty.

CXIX. And be it further enacted by the authority aforesaid, That all pecuniary penalties hereby imposed, relating to the duties on stamp vellum, parchment, and paper, or upon cards, dice, pamphlets, or advertisements, (except such touching which other provisions or directions are made or given in this act) shall be divided and distributed, to wit, one moiety thereof to her

Pecuniary penalties to be
one moiety to
the Queen, the
other to the
informers.

her Majesty, her heirs and successors, and the other moiety thereof, with full costs of suit, to such person or persons as shall inform and sue for the same in any of her Majesty's courts at *Westminster*, for offences committed in *England, Wales, or Berwick upon Tweed*, and in her Majesty's court of session, court of justiciary, or court of *Exchequer* in *Scotland*, by action of debt, bill, plaint, or information, wherein no essoin, protection, privilege, or wager of law, or more than one imparlance shall be allowed.

Two or more justices to determine offences.

CXX. Provided always, and it is hereby enacted by the authority aforesaid, That it shall and may be lawful to and for two or more justices of the peace to hear and determine any offence against this act, in or by the printing, selling, uttering, or exposing to sale, within the limits of the commission by which such justices of the peace are or shall be impowered to act, any pamphlet or pamphlets, news paper or news papers, not marked or stamped as this act directs; which said justices of the peace are hereby authorized and required, upon any information exhibited, or complaint made in that behalf, within three months after any such offence committed, to summon the party accused, and also the witnesses on either side, and upon the appearance or contempt of the party accused in not appearing (upon proof or notice given) to proceed to the examination of the witness or witnesses upon oath (which oath they are hereby impowered to administer) and to give judgment or sentence accordingly; and where the party accused shall be convicted of such offence, either by the view of the said justices, or either of them, or upon such information, as aforesaid, to award and issue warrants for the levying any pecuniary penalty or penalties so adjudged, on the goods of the offender, and to cause sale to be made thereof, in case they shall not be redeemed within six days, rendering to the party the overplus, if any; and where goods of such offender cannot be found, to commit such offender to prison, there to remain until such pecuniary penalty shall be paid and satisfied: and if any party shall find himself or herself aggrieved, or remain unsatisfied in the judgment of the said justices, then he, she, or they shall and may, by virtue of this act, complain or appeal to the justices of the peace at the next quarter sessions for the county, riding, shire, or place, wherein such offence shall be committed; who are hereby impowered to summon and examine witnesses upon oath, and finally to hear and determine the same, and in case of conviction, to issue warrants for levying or compelling, by such means, as aforesaid, the payment of the said penalties. Provided nevertheless, That it shall and may be lawful to and for the said respective justices, where they shall see cause, to mitigate or lessen any such penalty, in such manner as they in their discretion shall think fit, the reasonable costs and charges of the officers or informers being always allowed over and above such mitigation, and so as such mitigation do not reduce the penalty to less than one fourth part thereof over and above the said cost and

Persons aggrieved may appeal to the quarter sessions.

Justices may mitigate penalties.

and charges; any thing contained in this act to the contrary notwithstanding.

CXXI. And be it enacted by the authority aforesaid, That all and every person and persons, who shall be employed as a broker or brokers, solicitor or solicitors, or otherwise, in the behalf of any other person or persons, to make any bargain or contract for the buying or selling of any tallies, orders, Exchequer bills, Exchequer tickets, bank bills, or any share or interest in any joint stock erected by act of parliament, or by letters patents under the great seal, or bonds of any company thereby erected, who shall, after the first day of *August*, one thousand seven hundred and twelve, take or receive, directly or indirectly, any sum or sums of money, or other reward, exceeding the sum of two shillings and nine pence for every hundred pounds, and so in proportion for any greater or lesser sum, for his or their service in soliciting or procuring such contract or bargain, shall forfeit for every such offence twenty pounds, with full costs of suit, to such persons as shall sue for the same, by action of debt, bill, plaint, or information, in any of her Majesty's courts of record at *Westminster*, in which no essoin, protection, or wager of law, or more than one imparlance shall be allowed.

Brokers not to take above 2s. 9d. per cent. on forfeiture of 20l.

CXXII. Provided always, and it is hereby enacted by the authority aforesaid, That every person, who shall be appointed a commissioner for all or any the duties granted by this act, and every subordinate officer under such commissioners, who shall receive any salary or allowance in respect of his office, (the several commissioners and officers of the customs excepted) shall before his acting in his respective trust, take an oath for his due and faithful execution of the same, according to this act, which oath shall and may be administered to any such commissioner by any other person who shall be appointed a commissioner, as aforesaid, and to the said officers respectively by any one of the said commissioners, or by one justice of the peace, who shall give to the officer a certificate thereof, *gratis*.

Commissioners and officers to be sworn.

CXXIII. And it is hereby enacted, That if any person or persons shall be sued, molested or prosecuted for any thing done by virtue or in pursuance of this act, such person and persons shall and may plead the general issue, and give this act and the special matter in evidence; and if afterwards a verdict shall pass for the defendant or defendants, or the plaintiff shall discontinue his action, or be nonsuited, or judgment shall be given against him upon demurrer, or otherwise, then such defendant or defendants shall have treble costs to him or them awarded against such plaintiff.

General issue;

CXXIV. And to the end all the said rates and duties upon sops, paper, chequered and striped linens, and upon printed, painted, stained, or dyed goods, and upon stamped vellum, parchment, and paper, or otherwise, howsoever before granted by this act, may be duly and certainly raised, and the same (except the necessary charges of executing this act) may be justly and

Commission-
ers and officers
to be appoint-
ed, who are
to be liable to
the act 9 & 10
W. 3. c. 44.

and duly brought into the said receipt of Exchequer, according to the true meaning hereof; it is hereby enacted by the authority aforesaid, That, from time to time, during the continuance of this act, there shall be appointed such and so many commissioners and officers as shall be proper and necessary for managing, raising, collecting, and paying the said several rates and duties herein before granted, and for keeping and rendering the accounts of the same, and that the respective commissioners and officers concerned therein, shall perform their several duties, in relation to the premises, as to them respectively shall appertain, under such and the like penalties, forfeitures and disabilities, for any offence or neglect therein, or for detaining, diverting, or misapplying any part of the monies arising by the said rates and duties, as are prescribed and to be inflicted by virtue of an act of parliament made and passed in the ninth year of the reign of his late majesty King *William* the Third, intituled, *An act for raising a sum, not exceeding two millions, upon a fund for payment of annuities, after the rate of eight pounds per centum per annum, and for settling the trade to the East Indies*, for the like offence or neglect relating to the duties thereby granted or referred unto, or for detaining, diverting, or misapplying any part of the monies, which were granted or appropriated by the act last-mentioned.

§68003l. to be
the yearly
fund for
clearing off
the principal
sum of
2341740l. with
interest 6l. per
cent.

CXXV. And be it enacted by the authority aforesaid, That yearly and every year, during the term of thirty two years, reckoning the first year to begin from the nine and twentieth day of *September*, one thousand seven hundred and twelve, the full sum of one hundred sixty eight thousand and three pounds, by or out of the monies to arise by the several duties, rates, and sums of money by this act herein before granted or appropriated, or any of them, and to be brought into the receipt of the Exchequer, as aforesaid, (in case the same shall extend thereunto) shall be computed and reckoned to be a yearly fund; and in case all the monies arising into the Exchequer for the same duties, rates, and sums of money, so granted or appropriated, shall not amount to the sum of one hundred sixty eight thousand and three pounds *per annum*, then the monies so arising (so far as the same shall extend) shall be part of the yearly fund for and towards the answering and paying off all and every the principal sums herein after mentioned, amounting in the whole to the sum of two millions three hundred forty one thousand seven hundred and forty pounds, principal money, together with interest for the same, after the rate of six pounds *per centum per annum*, as herein after is mentioned; and in case the same duties, rates, and sums of money by this act granted or appropriated shall at any time or times appear to be so deficient or low in the produce of the same, as that within any one year, to be reckoned, as aforesaid, the said monies arising in the exchequer, for or upon account of the same duties, shall not amount to as much as one hundred sixty eight thousand and three pounds, that then and so often, and in every such case, so much

Deficiency to
be made good
out of the first
aid to be
granted in
parliament,

much as shall be wanting to make up the said fund or sum of one hundred sixty eight thousand and three pounds, for every or any such year, shall be supplied and made good, from time to time, out of the first aid or supply to be granted in parliament, next after such deficiency shall appear, and shall, from time to time, be transferred thereunto, as soon as the same shall be granted; and in case no such aid or supply shall be granted, then by and out of any publick money which shall be in the said receipt of exchequer, not appropriated to any particular use or uses by act of parliament; and the lord high treasurer now being, or the lord high treasurer, or commissioners of the treasury for the time being, are hereby strictly enjoined and required to make up such deficiency accordingly, out of such unappropriated publick money, without any further or other warrant or authority for the same.

CXXVI. And be it further enacted by the authority aforesaid, That it shall and may be lawful for any person or persons, natives or foreigners, bodies politick or corporate, to contribute for or towards advancing the sum of eighteen hundred thousand pounds for carrying on the said war, by paying at or before the respective days and times by this act limited in that behalf, to any receiver or receivers to be appointed for that purpose, as is herein after mentioned, the sum of ten pounds, or divers entire sums of ten pounds upon this act; and that for the raising the said sum of eighteen hundred thousand pounds, any person, who will become contributor or adventurer, shall and may advance the sum of ten pounds, for which sums so advanced, he, she, or they shall be entitled to receive, by virtue of this act, such principal money, and the interest thereof, to be paid, as herein after is mentioned, by and out of the said yearly fund settled by this act; and that every contributor or adventurer may advance as many entire sums of ten pounds, as he, she, or they shall think fit, and for every such sum of ten pounds so advanced, he, she, or they, is or are to be interested in one lot or share of and in the said yearly fund, by virtue of this act; and the same intire sums of ten pounds each, are hereby appointed to be paid unto such receiver or receivers, at or before the respective days and times, and in the respective proportions herein after mentioned, (that is to say) one fourth part thereof, on or before the twenty fourth day of *June*, in the year of our Lord one thousand seven hundred and twelve, one other fourth part thereof, on or before the twenty fourth day of *July*, in the said year of our Lord one thousand seven hundred and twelve, one other fourth part thereof, on or before the twenty third day of *August*, in the said year of our Lord one thousand seven hundred and twelve, and the remaining fourth part thereof, on or before the twenty fourth day of *September*, in the said year of our Lord one thousand seven hundred and twelve.

Any persons
may be con-
tributors.

Times of pay-
ment.

The Queen to appoint managers. Managers to meet together at some publick office. Books to be provided with two columns, for lottery number [one.] [two.] [three.] Receivers to be appointed by the lord treasurer. Managers to examine the books, and deliver them to the receivers, &c. Tickets how to be delivered out. Receivers to redeliver the books, &c. by 27 October, 1712. Outermost column tickets not disposed of to be delivered into the Exchequer, and thence issued as cash, &c. Tickets of the outermost column to be rolled up and put in a box. Upon one of the tickets shall be written twelve thousand pounds; upon another, five thousand pounds; upon two others, two thousand pounds; upon one other, four thousand pounds; upon two others, three thousand pounds; upon ten others, one thousand pounds; upon eighteen others, five hundred pounds; upon thirty others, two hundred pounds; upon one hundred others, one hundred pounds; upon five hundred sixty and four others, fifty pounds; and upon nine thousand two hundred sixty and nine others, twenty pounds: which together with five hundred pounds to the first drawn ticket, and five hundred pounds to the last drawn ticket, in each of the three lotteries, will amount for each lottery to two hundred and eighty thousand five hundred and eighty pounds, which makes the benefits on all the three lotteries amount to eight hundred forty one thousand seven hundred and forty pounds; which with one million five hundred thousand pounds, will be the principal money payable on the remaining fifty thousand blank tickets in all the three lotteries, being five hundred thousand pounds for fifty thousand blank tickets in each lottery, amount to two millions three hundred forty one thousand seven hundred and forty pounds, being the total principal money to be repaid. Outermost column tickets to be rolled up, and put into a box. No money to be received after 24 June, 1712, &c. Publick notice of the time of cutting the tickets. The manner of drawing the tickets. The manner of the second drawing for the course of payment. Every number drawn to relate equally to the tickets of the same number in every of the three lotteries. An exact table of the course of payment to be printed. Possessors of fortunate tickets above 20l. to appear before the managers by 24 Feb. 1712. Fortunate tickets to be printed. Forging tickets felony. Managers to enter the fortunate lots above 20l. principal money in a book, and transmit it into the Exchequer by 24 March, 1712. Interest to be paid half yearly. Fortunate lots not above 20l. principal money, and unfortunate tickets, to have principal and interest, &c. First payment at 24 June, 1713. Managers to be sworn. Penalty on officers of the Exchequer and other officers, offending. Money lent tax-free. Tickets to be exchanged for standing orders. Notice to be given in the Gazette, of taking in tickets, and delivering out orders. Orders to be numbered in course, as they are brought in. The money, as it comes in, to be divided into three equal parts, for the three lotteries. The orders of the three lotteries to be paid numerically, &c. Any number of tickets, not exceeding an hundred, may be included in one order, so as they be in the same lottery and course of payment. Several orders for small sums in the same lottery and course, may be exchanged into one order. The monies arising by this act, to be applied to pay off principal and interest. No undue preference, if subsequent orders be paid before others, who did not demand their monies. Deficiency of one year to be made good out of the next. Surplus to be applied to make good deficiencies, &c. Notice to be hung up in the office when orders become due. Eight pence per cent. per diem allowed for the first payment, and 4d. per cent. for the other payments, till 25 Dec. 1712. Receivers may take in money before they receive their books. Contributors advancing one fourth part, and failing in the rest, to forfeit the first fourth part: and if no ticket shall have been delivered him, then the ticket to be returned into the Exchequer, &c. Treasury to appoint a paymaster, &c. Who shall be subject to the rules of the treasury. Assignment of standing orders to be registered. Her Majesty, &c. to reward the managers, &c. out of the monies arising by the duties. Extraordinary benefits of 2000l. may be divided into standing orders not less than 500l. principal money. If all the principal

and interest be paid off before 31 years, then the residue to be disposed of by parliament. Guardians to contribute for infants, &c.

CLVIII. *And whereas by an act of parliament made in the ninth year of her Majesty's reign, intituled, An act for licensing and regulating hackney coaches and chairs; and for charging certain new duties on stamp vellum, parchment, and paper, and on cards and dice; and on the exportation of rock salt for Ireland; and for securing thereby, and by a weekly payment out of the post office, and by several duties on hides and skins, a yearly fund of one hundred eighty thousand six hundred and seventy pounds, for thirty two years, to be applied to the satisfaction of such orders as are therein mentioned, to the contributors of any sum not exceeding two millions, to be raised for carrying on the war, and other her Majesty's occasions, it was enacted, That the commissioners for licensing and regulating hackney coaches for the time being, or the major part of them, should have power, and are thereby required (amongst other things therein contained) to license all such hackney chairs which, from and after the twenty fourth day of June, one thousand seven hundred and eleven, within or during the term of thirty two years, from thence next and immediately ensuing, should be kept and used for hire within the cities of London and Westminster, and the suburbs thereof, and within all and every the parishes and places comprized within the weekly bills of mortality; and that the number of all such chairs so to be licensed upon that act, should not at any one time, within or during the term last-mentioned, exceed two hundred; and that upon every one of the said licences so to be granted, for keeping or using for hire any hackney chair, there should be reserved and payable to her Majesty, her heirs and successors, the annual sum of ten shillings, to be paid quarterly at the four most usual feasts in the year, by equal portions, during the continuance of every such licence for a chair; and in the same act several rates, restrictions, and clauses are inserted, in relation to such chairs and the chairmen so licensed; as by the same, relation being thereunto had, may more fully appear: and whereas it is found necessary or convenient that a greater number of such hackney chairs should be licensed to be employed within the limits aforesaid; be it further enacted by the authority aforesaid, That the commissioners for licensing and regulating hackney coaches now being, and the commissioners for licensing and regulating hackney coaches for the time being, or the major part of them, shall have power and authority, and are hereby impowered and required, under their hands and seals, or the hands and seals of the major part of them (over and above the number of chairs authorized to be licensed by the said former act) to license any additional number not exceeding one hundred such hackney chairs, which, from and after the twenty fourth day of June, one thousand seven hundred and twelve, at any time or times within or during the term of thirty one years, from thence next and immediately ensuing, shall be kept and used for hire within the cities and limits aforesaid, so that the number of all the said chairs licensed, or to be licensed upon this or the said former act,*

Commissioners for hackney coaches may licence 100 more hackney chairs.

By 12 Geo. 1.

c. 12. s. 15.

One 100 more

may be licensed.

Made perpetual by 3 Geo.

1. c. 7. s. 1.

16 Geo. 2. c.

26.

act, shall not at any one time within or during the term last-mentioned, exceed three hundred.

Hackney
chairs to pay
quarterly,

and to be sub-
ject to the same
rules as the
other hackney
chairs.

CLIX. And it is hereby enacted, That upon every one of the said licences for any of the said chairs to be granted by this act, there shall be reserved the like yearly rent of ten shillings, to be paid quarterly; and that the same chairs, and the persons to be so licensed for carrying or using the same, shall, in respect thereof, have the same rates and benefits, and be subject and liable to the same rules, penalties, matters, and things, as are by the said former act prescribed in relation to the hackney chairs or chairmen, which were thereby authorized to be licensed; and that all persons, who shall presume to carry for hire in any hackney or common chair, any person or persons within the limits aforesaid, without such licence upon this or the said former act, shall be liable to such penalties as he, she, or they would have incurred for using an unlicensed chair, if this act had not been made.

9 Annæ, c. 33.
Cards and dice
made before
12 June, 1711,
in the hands
of the makers,
to pay for eve-
ry pack one
halfpenny, and
for every pair
6d.

CLX. And whereas in and by the said act made in the ninth year of her Majesty's reign (amongst other things therein contained) it was enacted, That from and after the eleventh day of June, one thousand seven hundred and eleven, during the term of thirty two years from thence next ensuing, there shall be raised and paid unto and for the use of her Majesty, her heirs and successors, for all playing cards or dice, which, within or during the same term, should be made fit for sale or use in Great Britain, or imported into the same, the duties following, (that is to say) for every pack of such cards, the sum of six pence, and for every pair of such dice, the sum of five shillings: Now it is hereby enacted by the authority aforesaid, That there shall be raised, levied, collected, and paid, to and for the use of her Majesty, her heirs and successors, for and upon all playing cards and dice which now remain unfold in the hands of any person or persons trading or dealing therein, and which were actually and completely made before the twelfth day of June, in the year of our Lord one thousand seven hundred and eleven, and for which no duty charged by the same former act of parliament hath been paid, the several and respective rates, duties, and sums of money hereafter mentioned (that is to say) for and upon every pack of such cards, the sum of one half-penny, and for and upon every pair of such dice, the sum of six pence.

Such cards and
dice to be
brought to the
stamp office
before 1 Aug.
1712. to be
marked, &c.

CLXI. And be it further enacted by the authority aforesaid, That all such playing cards and dice as were made and finished in Great Britain before the said twelfth day of June, one thousand seven hundred and eleven, shall, before the first day of August, one thousand seven hundred and twelve, be brought to the said head office for marking and stamping of vellum, parchment, and paper; and upon oath made that the same were actually made and finished in Great Britain, before the said twelfth day of June, one thousand seven hundred and eleven (which oath the commissioners for the stamp duties, or any of them, or any officer or officers, by them or the major part of them, thereunto to be appointed, is and are hereby impowered to administer)

misſter) and upon payment of the duties hereby charged on the ſale to the receiver general laſt-mentioned, or his deputy or clerk, the ſame commiſſioners or their officers, ſhall cauſe ſuch cards and dice as are laſt-mentioned, to be ſealed, marked or ſtamped with ſuch ſeal, mark, or ſtamp as the ſame commiſſioners ſhall provide, to denote the duties hereby charged on ſuch cards and dice, and which the ſame commiſſioners are hereby authorized and required to provide accordingly; and that all playing cards and dice which ſhall not be brought to the ſaid head office to be ſealed, marked, and ſtamped, as aforeſaid, and for which the duties hereby charged, ſhall not be paid, and touching which ſuch oath, as aforeſaid, ſhall not be made before the ſaid firſt day of *Auguſt*, one thouſand ſeven hundred and twelve, ſhall be adjudged and deemed to be cards and dice made ſince the eleventh day of *June*, one thouſand ſeven hundred and eleven, and to be charged accordingly with the full duties impoſed by the ſaid former act.

CLXII. And for the better ſecuring her Maſteſty's duties on playing cards and dice, and preventing the defrauding her Maſteſty thereof, be it further enacted by the authority aforeſaid, That from and after the firſt day of *Auguſt*, in the year of our ſord one thouſand ſeven hundred and twelve, during the continuance of thoſe duties, no playing cards or dice ſhall be ſold or expoſed to ſale, or uſed in play in any publick gaming houſe, unleſs the paper and thread incloſing, or which ſhall have incloſed the ſame, ſhall have been reſpectively ſealed and ſtamped, or marked according to the ſaid former act in that behalf, and unleſs one of the cards of each pack or parcel of cards ſo ſold, ſhall be alſo marked or ſtamped on the ſpotted or painted ſide thereof, with ſuch mark or marks as the commiſſioners for the time being, appointed to manage the ſaid ſtamp duties, ſhall direct or appoint; upon pain that every perſon or perſons who ſhall, from and after that time, and during the continuance of the ſame duties, ſell or expoſe to ſale any ſuch cards or dice which ſhall not have been ſo reſpectively ſealed, marked, and ſtamped, as hereby, and by the former act of parliament relating to the ſaid duties, is reſpectively required, ſhall forfeit for every pack or parcel of ſuch cards, and every one of ſuch dice ſo ſold or expoſed to ſale, the ſum of five pounds, beſides full coſts of ſuit, to be recovered and diſtributed as the penalties relating to the growing duties impoſed by the ſaid former act on cards and dice, are to be recovered and diſtributed.

CLXIII. And it is hereby further enacted, That if any perſon or perſons ſhall at any time or times hereafter counterſeit or forge any ſeal, ſtamp, or mark to reſemble any ſeal, ſtamp, or mark, which, in purſuance of the ſaid former act, hath been provided, or in purſuance of the ſame, or of this preſent act, ſhall be provided, to denote the payment or charging of any the duties on cards or dice by this or the ſaid former act payable, or ſhall counterſeit or reſemble the impreſſion of the ſame upon any card or dice, or any thread or paper incloſing any cards, thereby to defraud her Maſteſty,

No cards or dice to be ſold or uſed in any gaming houſe, before marking, on penalty of 5l.

9 Annæ, c. 23.

Counterſeiting thoſe marks, felony.

her heirs or successors, of any the said duties upon cards, or dice, or shall utter, vend, or sell any cards or dice with such counterfeit seal, stamp or mark, knowing the same to be counterfeit, or shall privately and fraudulently use any seal, stamp or mark, provided and used, or to be provided and used in pursuance of this act, or the said former act, relating to the said duties upon cards and dice, so as thereby to defraud her Majesty, her heirs or successors, of any of the said duties upon cards or dice, then every such person so offending, and being thereof convicted in due form of law, shall be adjudged a felon, and shall suffer death as in cases of felony, without benefit of clergy.

Cards and dice made in Scotland before 12 June, 1711, to be brought to the head office at Edinburgh, before 1 August, 1712, to be marked.

CLXIV. Provided also, and be it further enacted by the authority aforesaid, That all such cards and dice as were made in that part of *Great Britain* called *Scotland*, before the said twelfth day of *June*, one thousand seven hundred and eleven, shall and may, at any time before the said first day of *August*, one thousand seven hundred and twelve, be brought to the head office at *Edinburgh*, appointed or to be appointed for collecting her Majesty's stamp duties there, and by him stamped or marked with such respective stamps or marks as shall denote the respective duties hereby charged thereupon (which stamps or marks the said commissioners for managing her Majesty's stamp duties are hereby empowered and required to provide and send to such officer or collector for that purpose) upon oath taken, that such cards or dice were actually made in that part of *Great Britain* called *Scotland*, before the said twelfth day of *June*, one thousand seven hundred and eleven, and upon payment of such respective duties to such officer or collector, and that such cards or dice, being so stamped or marked, shall and may be sold, or exposed to sale, or used in play; any thing herein contained to the contrary notwithstanding.

Rents of hackney chairs, and duties on cards and dice, appropriated.

9 Annæ, c. 23.

CLXV. And it is hereby declared and enacted by the authority aforesaid, That all the monies to arise, as well by rents of the said additional number of hackney chairs, to be licensed in pursuance of this act, as by the said duties for cards and dice made before the twelfth day of *June*, one thousand seven hundred and eleven (the necessary charges of raising the same excepted) shall be added to the funds settled by the said act of the ninth year of her Majesty's reign, and applied towards the payment of the principal and interest monies therein mentioned, in like manner, and under the like penalties as the other rents upon hackney chairs, and the growing duties upon cards and dice are hereby applicable and appropriated.

Persons making cards, &c. in any place without notice, forfeit cards and materials.

Further provision to prevent the clandestine

CLXVI. And be it further enacted by the authority aforesaid, That from and after the twentieth day of *May*, one thousand seven hundred and twelve, if any person whatsoever shall make, or cause to be made, any cards or dice, in any house, room, or place, before he shall have given due notice of his or her intention to make cards or dice in such house or place, according to the form and effect of the said former act, such person shall, over and above the penalties imposed by that act,

forfeit

forfeit all the cards and dice, and all materials and utensils for making cards and dice, which shall be found in such house or place, or which shall have been made or manufactured there, before such due notice shall have been given; and that no materials whatsoever begun to be wrought for or towards the making of cards or dice, shall be removed from the place wherein the same shall have been so begun to be wrought, until the same shall have been completely made and worked into cards or dice, or the duties for the cards or dice therewith intended to be made, shall be paid or secured, upon pain that every person who shall remove, or cause or permit to be removed, any such materials, contrary to the true meaning hereof, shall forfeit double the amount of the duty on the cards or dice, which might be made from or with such materials, with full costs of suit.

this duty, 6 Geo. 1. c. 21. s. 55.

Removing materials, forfeits double the duty.

CLXVII. *And whereas by an act made in the third year of the reign of King Edward the Fourth, playing cards and dice are prohibited to be imported into England or Wales; be it declared and enacted by the authority aforesaid, That the said act, and all matters therein contained, relating to the playing cards or dice, shall and do stand and be in full force and effect, and so shall be construed, deemed, and adjudged, as to every part of the Kingdom of Great Britain; any thing in any other act, touching the said duties on cards and dice, to the contrary thereof notwithstanding.*

Act 3 Edw. 4. c. 4. to be in force.

CLXVIII. And to prevent the evading the payment of the said duties on dice by new inventions of any thing used or to be used in play instead of dice; be it further declared and enacted by the authority aforesaid, That all pieces of ivory, bone, or other matter, made or used for any game or play, with any letters, figures, spots, or other marks thereupon, to denote any chance or chances, are and shall be construed, deemed, and adjudged to be dice, and to be charged accordingly with the full duties on dice; and if there shall be more than six chances signified on any one of such pieces of ivory, bone, or other matter, then such one piece shall be and is hereby charged with the full duty of five shillings payable for a pair of dice; and if there shall be more than the number of chances usually in a pair of dice, then such one piece shall be and is hereby charged with a further duty, proportionate to the number of chances exceeding those of one pair of dice.

Ivory, bone, &c. used for any game, to be deemed dice, &c.

CLXIX. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for any officer or officers therunto appointed by the said commissioners for the said stamp duties, to enter into any house or place where cards or dice are or shall be made, sold, or exposed to sale, or suspected to be privately made, or into any publick gaming-house, room, or place, and there to search and see what quantity of cards or dice shall be making, and whether the cards or dice so sold, or exposed to sale, or so used in play, be duly sealed, marked, and stamped, according to the true meaning of this

Officers may enter places where cards are made, &c. or gaming-houses, on forfeiture of rel.

act, and of the said former act; and if the owner or occupier of any house or place, where cards or dice are or shall be made, sold, or exposed to sale, or of any such publick gaming-house, as aforesaid, shall, at any time or times, refuse entrance or liberty of search to such officer or officers, such owner or occupier shall, for every such refusal, forfeit the sum of ten pounds, with full costs of suit, to be recovered and divided, as aforesaid.

Cards or dice may be removed without marking, in order to exportation.

CLXX. And for encouraging the exportation of cards and dice into foreign parts, be it further enacted by the authority aforesaid, That it shall and may be lawful to remove any cards or dice from the place where the same are or shall be made, without sealing, marking, or stamping the same, or paying any the duties payable for the same by this or any former act of parliament; provided that within one month after the same shall be made, and before the same shall be so removed from the place of making thereof, a bond be entred into to her Majesty, her heirs or successors, with sufficient surety or sureties, in a penal sum of double the duties on such cards or dice, with a condition for the exporting such cards or dice into some part or port beyond the seas, within a time to be limited in such bond, and that the same, or any of them, shall not be re-landed in any part of *Great Britain*, and that such bond be kept in the hands of the said commissioners for the stamp duties, and a certificate be given by them, or such officer as shall be in that behalf appointed, that such bond is entred into with relation to such cards or dice; any thing in the said former act for imposing duties on cards and dice to the contrary notwithstanding.

Such bonds entered into before April, 1719, &c. and not put in suit before April, 1721, &c. are void, 5 Geo. 1. c. 19. s. 48.

Boards ready to be cut into cards before 12 June, 1711, to be charged only with one halfpenny per pack.

CLXXI. Provided always, That such boards of cards as were actually made in *Great Britain*, and printed or spotted, and ready to be cut into cards before the said twelfth day of *June*, one thousand seven hundred and eleven, and whereof an account has been already taken by the commissioners for managing the stamp duties, or their officers, shall be charged only after the rate of one halfpenny per pack; any thing in this act, or in the said former act, for charging the duties on cards and dice, to the contrary notwithstanding.

Justices may determine pecuniary forfeitures, not exceeding 20l.

CLXXII. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for any two or more of the justices of the peace for the time being, residing near to the place where any pecuniary forfeitures, not exceeding twenty pounds upon this or any of the acts of parliament, touching any the duties under the management or care of the said commissioners for managing her Majesty's duties on stamp vellum, parchment, and paper, shall be incurred, or any offence against any of the same acts shall be committed, in any wise relating to the same duties, or any of them, by which any sum of money only may be forfeited, to hear and determine the same; which said justices of the peace are hereby authorized and required, upon any information exhibited, or com-

plaint made in that behalf, within one year after seizure made or such offence committed, to summon the party accused, and also the witnesses on either side, and upon the appearance or contempt of the party accused, shall be convicted of the offence alledged against him, and to award and issue out warrants under their hands and seals, for levying any pecuniary penalties so adjudged, on the good of the offender, and to cause sale to be made thereof, in case they should not be redeemed within six days, rendering to the party the overplus, if any; Party aggrieved and if any party shall find himself aggrieved, or remain unsatisfied in the judgment of the said justices, then he or they shall or may, by virtue of this act, complain or appeal to the justices of the peace at the next general quarter sessions for that county, riding, or place, who are hereby impowered to summon and examine witnesses upon oath, and finally to hear and determine the same, and in case of conviction, to issue warrants for levying the penalties, as aforesaid.

CLXXIII. Provided nevertheless, That it shall and may be lawful to and for the said respective justices, where they shall see cause, to mitigate or lessen any such penalties, as they in their discretions shall think fit, the reasonable costs and charges of the officers and informers, as well in making the discovery, as in the prosecution of the same, being always allowed over and above such mitigation, and so as such mitigation do not reduce the penalties to less than double the duties over and above the said costs and charges; any thing contained in this act, or any other act of parliament to the contrary notwithstanding.

CLXXIV. Provided also, That no writ or writs of *certiorari* shall supersede execution, or other proceedings, upon any order or orders made by the justices aforesaid, in pursuance of this act; but that execution, and other proceedings, shall be had and made thereupon; any such writ or writs, or allowance thereof, notwithstanding.

CLXXV. And for the better ascertaining and securing her Majesty's duties on calendars and almanacks, be it further declared and enacted by the authority aforesaid, That all books and pamphlets, serving chiefly to the purpose of an almanack, by whatsoever name or names entitled or described, are shall be charged with those duties, by virtue of the act in that case made in the first session of this present parliament, but not with any of the duties charged by this act on pamphlets or other printed papers; any thing herein contained to the contrary notwithstanding.

CLXXVI. And whereas great loss hath happened of the already laid upon stamp vellum, parchment, and paper, and other inconveniencies daily grow, from clandestine marriages; for remedy thereof for the future, be it enacted by the authority aforesaid, That every parson, vicar, or curate, or other person in holy orders, beneficed or not beneficed, who shall, after the four and twentieth day of June, one thousand seven hundred and

twelve, marry any person in any church or chapel, exempt or not exempt, or in any other place whatsoever, without publication of the banns of matrimony between the respective parties according to law, or without licence first had and obtained from the proper ordinary for the said marriage, shall for every such offence forfeit the sum of one hundred pounds, to be recovered with full costs of suit, by action of debt, bill, plaint, or information, in any of her Majesty's courts of record at *Westminster*, wherein no essoin, protection, or wager of law, or more than one imparlance shall be allowed; one moiety thereof to the Queen, her heirs and successors; and the other moiety to him or them who shall sue for the same; and if such offender shall be a prisoner in any prison or gaol (other than a county gaol) at the time of such offence committed, and shall be duly convicted of such offence, by action or information, as aforesaid, then upon oath made of such imprisonment before any judge of her Majesty's courts of record at *Westminster*, and upon producing a copy of the record of such conviction, to be likewise proved upon oath before the said judge (which oaths the said judge is hereby empowered to administer) the said judge is hereby required to grant his warrant to the keeper of the gaol or prison where such offender is a prisoner (which warrant such keeper is hereby required to obey) to remove such offender to the gaol of that county where such offender is a prisoner, there to remain charged in execution with the penalty inflicted by this act, and with all and every the causes of his former imprisonment; and if any gaoler or keeper of any prison shall be privy to, or knowingly permit any marriage to be solemnized in his said prison, before publication of banns, or licence obtained, as aforesaid, he shall for every such offence forfeit the sum of one hundred pounds, to be recovered and distributed, as aforesaid.

Salvo for arch-
bishops, &c.
jurisdiction.

CLXXVII. Saving nevertheless, to all archbishops, bishops, archdeacons, and other ordinaries, their vicars general, commissaries, and officials, the free exercise of all ecclesiastical jurisdiction, and full power and authority of inflicting all such pains and censures for this or any other crime or crimes, as they might have done if this act had not been made.

Not to extend
to Scotland.

CLXXVIII. Provided always, That the said provision for marriages do not extend to that part of Great Britain called Scotland.

CLXXIX. And whereas it has been found necessary for dispatch in the stamping or marking of vellum, parchment, and paper, to have several dies or stamps with the same mark, type, and device on each of them, and devoting the same duty; and it has also been found necessary to distinguish each of the said dies or stamps by several letters, with one severest letter on each of them, whereupon some doubt has arisen, whether in respect of the addition of such one letter, such mark, type, or device, be the very same mark, type, or device, appointed, provided, or published by proclamation, in pursuance of the act or acts in that behalf made, or any of them, as the mark, type

or

or device to denote such duty; and in that respect, whether such die or stamp were a lawful die or stamp; be it therefore declared and further enacted by the authority aforesaid, That the said several dies or stamps, and the impressions thereby made, and to be made (notwithstanding the addition of such letter) are and shall be lawful marks and stamps according to the respective acts of parliament in that behalf made; and that all stamps and marks heretofore made or provided, and hereafter to be made or provided, in pursuance of this or any other act or acts of parliament, shall (notwithstanding the addition of any letter or letters, or numerical figure or figures, to distinguish one die or stamp from another of the same type or device, and denoting the same duty) be to all intents and purposes taken, adjudged, and deemed to be true and lawful stamps or marks, and to be stamps or marks duly made, provided, and used in pursuance of, and according to the true intent of this act, and other the respective acts of parliament in that behalf made.

Dies for stamping, though distinguished by letters, &c. to be deemed lawful stamps.

CLXXX. And whereas some doubt has arisen, whether the judges are judicially to take notice of the proclamation issued by their late majesties King William and Queen Mary, in pursuance of an act made in the fifth year of their said Majesties reign, intituled, An act for granting to their Majesties several duties upon vellum, parchment and paper, for four years, towards carrying on the war against France; and of the types, marks, or stamps thereby published; be it further declared and enacted by the authority aforesaid, That all courts of justice and judges whatsoever ought without any proof or allegation in that behalf, judicially to take notice of the said proclamation, and of all the types, marks, and stamps thereby published, and which shall hereafter be published by any proclamation of her Majesty, her heirs or successors, in pursuance of any act or acts of parliament relating to the stamp duties, or any of them, as and for the true and lawful types, marks, and stamps made and provided, or to be made and provided, in pursuance of this and other the respective acts of parliament in that behalf made.

Judges judicially to take notice of the proclamation about the stamp, &c. 5 & 6 W. & M. c. 21.

CLXXXI. And whereas by the several acts of parliament in that behalf made, the commissioners for managing the said duties on stamp vellum, parchment, and paper, are to keep their head office in some convenient place within the cities of London or Westminster; be it further enacted by the authority aforesaid, That the commissioners for the time being, appointed to manage those duties, may keep their head office for the same duties, or any other duties under their care, in any convenient place in any part of the four inns of court, or of the parishes of Saint Andrew Holborn, Saint Clement Dances, Saint Paul Crook Garden, or Saint Giles in the Fields, although the same be not within either of those cities; any thing in the said former acts, or any of them, to the contrary notwithstanding.

Commissioners for stamp duties may keep their head office in any of the inns of court, &c.

CLXXXII. And be it further enacted by the authority aforesaid, That no commissioner, officer, or other person concerned or employed in the charging, collecting, receiving, or managing

The commissioners and officers appointed by this

act, not to
intermeddle
with elections.

ing any of the duties granted by this act, shall, by word, message, or writing, or in any other manner, endeavour to persuade any elector to give, or dissuade any elector from giving his vote for his choice of any person to be knight of the shire, commissioner, citizen, burghers, or baron for any county, city, borough, or cinque port; and every officer or other person offending therein, shall forfeit the sum of one hundred pounds; one moiety thereof to the informer, the other moiety thereof to the use of the poor of the parish or place where such offence shall be committed; to be recovered by any person that shall sue for the same, by action of debt, bills, plaint, or information, in any of her Majesty's courts of record at Westminster, or in the court of Exchequer in that part of Great Britain called Scotland, in which no esoin, protection, privilege, or wager of law, or more than one imparlance shall be allowed; and every person convicted on any such suit, shall thereby become disabled and incapable of ever bearing or executing any office or place of trust whatsoever, under her Majesty, her heirs and successors.

EXP.

Several benefit tickets in the late lotteries, not being yet adjusted, present managers may settle the same before 25 Dec. 1712. Where Exchequer bills or lottery tickets have been lost, on oath before the barons of the Exchequer, &c. officers to issue new ones, &c.

Clause for borrowing money upon stock (part of the capital of the South Sea company) for the use of the publick.

CLXXXV. *And whereas by the act of parliament made in the ninth year of her Majesty's reign (amongst other things) for making good deficiencies, and satisfying publick debts, it was provided, That several shares or parts of the capital stock of the corporation which was to be erected, in pursuance of that act, and is since erected by the name of the governor and company of merchants of Great Britain trading to the South Seas, and other parts of America, and for encouraging the fishery, should be ascertained, and be disposed and disposable for the use of the publick, in such manner and form, and by such several ways and means as in the said act are expressed in that behalf, and as by the same may more at large appear; be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the respective treasurers of the navy and ordnance, and the respective paymasters of the guards, garrisons, and land forces, for the time being, or any other officers or persons who are or shall be intitled to any parts or shares of the said capital stock, for the publick use and benefit (not being absolutely sold, applied, or disposed for some of the publick uses in that act mentioned) from time to time, by any warrant or warrants in writing from the high treasurer of Great Britain, now being, or the high treasurer of Great Britain, or any three or more of the commissioners of the treasury for the time being (and not otherwise) to borrow any sum or sums of money from any person or persons, natives or foreigners, bodies politick or corporate, who are or shall be willing to advance or lend the same, upon credit of the said publick stock, or any part thereof, and to allow interest, not exceeding the rate of six pounds per centum per annum for the forbearance thereof, to be paid every three*

By 12 Anne,
stat. 2. c. 3. any
person may lend
money on stock.

three months from the respective times of making such loans or advances, until the respective times of repayment of the principal monies; and to assign, mortgage, and transfer such respective shares of the said stock, whereupon such sums of money shall be agreed to be so lent, to the respective lenders thereof, or such as they severally and respectively shall appoint, and to their executors, administrators, successors, and assigns respectively, upon such conditions of redemption, and under such agreements for the sale of the stock so mortgaged, for making default in the repayment of the monies to be borrowed thereupon, or for non-payment of the interest thereof, and subject to such other conditions, and in such manner and form, as in such warrant and warrants respectively shall be prescribed in that behalf.

CLXXXVI. Provided always, and it is hereby enacted, That all the money which shall be borrowed upon the credit of such stock, as aforesaid, shall be applied and disposed by the said treasurers, paymasters, or others respectively chargeable therewith, to such publick uses whereunto the said stock so to be mortgaged would have been applicable by or in pursuance of the said act, if no such mortgage, assignment, or transfer had been made, and to no other use, intent, or purpose whatsoever; and that the said treasurers, paymasters, and other officers, who shall borrow the said monies, as aforesaid, shall be answerable for the application thereof accordingly; and that the said company shall not be responsible for permitting the stock to be so transferred, as if the same were unduly transferred; and that the lenders of such money shall not be chargeable with the application thereof to the said uses.

Money so borrowed to be applied to the use of the publick.

C A P. XX.

An act for the relief of insolvent debtors, by obliging their creditors to E X P. accept the utmost satisfaction they are capable to make, and restoring them to their liberty.

C A P. XXI.

An act to prevent abuses in making linen cloth, and regulating the lengths, breadths, and equal sorting of yarn, for each piece made in Scotland, and for whitening the same.

WHEREAS divers abuses and deceit have of late years been used in the manufactures of linen cloth in that part of Great Britain called Scotland, with respect to the lengths, breadths, and unequal sorting of yarn, which tends to the great debasing and undervaluing of the said linen cloth, both at home and in foreign parts, where the said cloths are vented: for remedy whereof, be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by authority of the same, That from and after the nine and twentieth day of September, which shall be in the year of our Lord one thousand seven hundred and twelve, all sorts of linen cloth made in Scotland, shall be made of well sorted yarn for each piece, and equally wrought

The lengths and breadths of linen cloth made in Scotland.

*Dornick, &c.
made in Scot-
land provided
for by 12 Ann.
stat. 2. c. 20.*

wrought and fine from the one end of the piece to the other; and that all linen cloth be made by the standard yard wand, of the lengths and breadths following, each piece of linen cloth, commonly called *Saint Johnstons* cloth, when brown or green, and all other plain, brown, or green linen cloth made for whitening, shall be made full yard and nail, or full three quarters of a yard and nail, that when whitened, it may be full yard or full three quarters of a yard in breadth; and that all other sorts of plain linen cloth, whether white, brown, or green, shall be full yard, or full three quarters of a yard in breadth; and every such piece of plain, brown, or green linen cloth, shall be in length eighty four yards, the half piece forty two yards, the quarter piece one and twenty yards; and every piece of plain white linen cloth shall be in length forty yards, the half piece twenty yards; and all linen checks shall be made yard and half a quarter or full yard, or full three quarters of a yard in breadth; and all striped linen cloth shall be made full yard and quarter, or full yard, or full three quarters of a yard in breadth; and all linen for neckcloths shall be made, the piece to contain twelve neckcloths, the half piece to contain six neckcloths; and all sorts of ticking shall be made full yard, or full three quarters of a yard in breadth; and that all white, brown, or green linen cloth whatsoever shall be sold in that part aforesaid, in the water-fould, or in foulds of one yard or half yard in each fould of length, and not rolled or battered.

*Penalty on
weavers, &c.
making linen
cloth other-
wise than ac-
cording to the
aforesaid
lengths and
breadths.*

II. And be it enacted by the authority aforesaid, That if any weaver, or other person, shall, from and after the said nine and twentieth day of *September*, make, or cause to be made any of the aforesaid linen cloth, otherways than according to the respective lengths and breadths aforesaid, and with well sorted yarn, and equally wrought and fine, from the one end of the piece to the other, every such person or persons so offending, and being thereof convicted by the oath of any overseer or searcher of linen cloth, appointed or to be appointed within the several boroughs royal, counties, stewartries, boroughs of regality and barony, in that part of *Great Britain* aforesaid, or by the oath of two or more credible witnesses before any justice or justices of the peace, magistrate or magistrates, or other judge or judges competent within their respective jurisdictions (which oath they or any of them are hereby empowered to administer) shall, for every inch the said respective linen cloth, shall be less than the said respective breadths, and for every half a quarter, the three quarters yard and nail plain cloth, shall exceed the said breadths, forfeit the sum of five shillings Sterling; and for every yard, the said respective white, brown, or green plain linen cloth shall be less in length than the said respective lengths, shall forfeit the like sum of five shillings sterling; and for every piece of all sorts of linen cloth whatsoever, that is not made of well sorted yarn, and equally wrought and fine, from the one end of the piece to the other, shall forfeit the sum of five shillings sterling; and if any person or persons shall buy or expose,

pose to sale, or bring to any town or place, in order for sale, any of the aforesaid cloth, in that part aforesaid, not being made of well sorted yarn, equally wrought and fine, from the one end of each piece to the other, and of the lengths, breadths, and foldings aforesaid, and such person or persons so offending, and being thereof convicted in any time not exceeding six months after the time of sale, or exposing the same to sale, shall forfeit for each piece the sum of five shillings sterling.

III. And be it further enacted by the authority aforesaid, That every owner or owners of all sorts of linen cloth whatsoever made in *Scotland*, before exposing the same to sale, shall bring the same to any borough royal, town, or place where stamps are appointed, or to be appointed and kept, and there receive the stamp of the borough, town, or place, for the which stamp the stamp master shall be paid for each piece of all sorts of linen cloth, the sum of one penny, the half piece half penny, the quarter piece one farthing, and no more; and if any person or persons shall expose to sale, or carry to the water-side, in order for exporting or transporting any of the aforesaid linen cloth, after the said nine and twentieth day of *September*, in or from any borough, town, or place in *Scotland*, before the stamp is affixed thereto, or is not made, as aforesaid, such person or persons so offending, and being thereof convicted, as aforesaid, shall forfeit for each piece the sum of five shillings sterling.

Owners of linen cloth, before exposing it to sale, shall bring it to be stampd, on forfeiture of 5s. sterling for each piece.

IV. And be it further enacted by the authority aforesaid, That the magistrates of each borough royal in *Scotland*, shall be and are hereby impowered and appointed, from time to time, to cause make a stamp or stamps bearing the arms of the respective boroughs, and to appoint a fit person or persons for inspecting and stamping all linen cloth brought to be stamped, being of the lengths, breadths, and qualities aforesaid; which person or persons so nominated, shall before his or their admission to that office of stamp master, be obliged to take an oath *de fidei*, and likewise find surety for the faithful administration and execution of his office, for such sum of money as the said magistrates shall appoint; and in like manner, the justices of the peace in their respective counties and stewartries, shall be and are hereby impowered and ordained, from time to time, at their quarterly sessions in *Scotland*, to appoint a stamp or stamps to be made and kept at some proper place or places where linen cloth is sold, within their respective counties, as their justices of the peace shall think proper; and the said justices of the peace are hereby impowered and ordained to nominate and appoint a qualified person or persons for stamping of linen cloth, brought to be stampd within their respective counties and stewartries aforesaid; who shall be obliged in like manner to take an oath *de fidei*, and likewise find such surety for the faithful administration and execution of his office, for such sum of money as the said justices of the peace shall appoint; and that no stamp-master shall, for himself, or any other person or persons, buy or dispose of any linen cloth, direct or indirect, or shall stamp any linen that is

Magistrates to cause stamps to be made, and appoint persons for stamping, who shall be sworn and give security.

Justices of the peace to do the like at their quarterly sessions.

Stamp master not to buy or sell any linen cloth, nor stamp any not made of well sorted yarn, &c. on penalty of 5s. per

not

piece, and disabled.

Buying or exporting before stamped forfeits 5 s. per piece.
Counterfeiting stamps forfeits 50 l. or a year's imprisonment if insolvent.

Using lime or pigeons dung in whitening, forfeits 20 s. sterling for each piece.

Forfeitures, how to be recovered and disposed.

not made of well sorted yarn, equally wrought, and of equal fineness from the one end of the piece to the other, and of the breadths and fouldings aforesaid (and not rolled or battered) he or they so neglecting or offending, shall forfeit for each piece of linen cloth the sum of five shillings sterling, and made incapable of serving in any such office for the future; and if any person or persons in that part of *Great Britain* aforesaid, shall buy, export, or transport, or carry to the water-side, in order to be exported or transported, any linen cloth of *Scotland*, after the said nine and twentieth day of *September*, before the stamp be fixed, as aforesaid, he or they so offending, and being thereof convicted in *Scotland*, shall for each piece of linen cloth whatsoever, forfeit the sum of five shillings sterling; and if any person or persons shall affix or counterfeit any stamp without the authority aforesaid, such person or persons so offending, shall forfeit respectively the sum of fifty pounds sterling, or one year's imprisonment if found insolvent.

V. *And whereas sundry persons of late years have made use of lime or pigeons dung for bleaching and whitening linen cloth, to the great prejudice of the said cloth; for preventing whereof, be it enacted by the authority aforesaid, That if any person or persons shall, after the said nine and twentieth day of September, make use of any lime or pigeons dung, for whitening or bleaching any sort of linen cloth, and being thereof convicted by the oath of two or more credible witness or witnesses, or by the oath of the offender or offenders, and before any judge or judges competent within their respective jurisdictions, in that part of Great Britain aforesaid, such person or persons so offending, and being thereof convicted, as aforesaid, shall forfeit for each piece of linen cloth so bleached or whitened, the sum of twenty shillings sterling; and if any offender or offenders shall after being convicted within Scotland, and shall refuse and neglect to pay any forfeiture incurred by reason of this act, then it shall and may be lawful for the magistrate or magistrates, justice or justices of the peace, or judges competent, before whom such conviction shall be made, as aforesaid, and such magistrate or magistrates, justice or justices of the peace, or judges competent, are hereby impowered and required to issue out one or more warrants, under his or their hands and seals, to the constable or constables, officer or officers of the town or place where such offender doth inhabit or can be found, within the limits of their respective jurisdictions, to levy the same by distress and sale of the offender's goods, returning the overplus, if any be, to the offender, and where no sufficient distress can be found, to commit the offender to the house of correction, or gaol of the borough, town, or county, to be kept at hard labour for such time as the judge or judges, before whom such conviction is made, shall direct, not exceeding twelve months; and all forfeitures and penalties that shall be recovered in that part of Great Britain aforesaid, by reason of this act, shall be the one half to the informer who shall sue for and recover the same,*

same, the other half for the poor of the parish where the offence is committed.

VI. Provided always, That all linen cloth which shall be made in Scotland at any time before the said nine and twentieth day of September, which shall be in the year of our Lord one thousand seven hundred and twelve, shall and may be sold, exported, or transported, as the owner or owners of the said linen cloth shall judge proper, at any time or times before the fifteenth day of May, which shall be in the year of our Lord one thousand seven hundred and thirteen; any thing in this act contained to the contrary notwithstanding.

Linen cloth made before 29 Sept. 1712. may be sold or exported before 15 May, 1713.

VII. Provided always, That all retailers, or reputed retailers, and pedlars, may retail any sort of linen cloth, being made of the broadths, well sorted yarn, and equally wrought and fine in each piece, and having always the stamp affixed thereunto; any thing in this act contained to the contrary notwithstanding.

Pedlars may retail lin. n. made of breadths, and stamped, &c.

C A P. XXII.

An act for the relief of merchants importing prize goods from America.

WHEREAS by an act of parliament made in the ninth year of her present Majesty's reign, intituled, An act for the encouragement of the trade to America, it is among other things enacted, That all prize goods and commodities which, after the first day of June, one thousand seven hundred and eleven, shall be imported into any of the ports of Great Britain, shall be subject and liable to the payment of the same duties as those goods and commodities would have paid in case they had not been prize: and whereas before the making the said act, prize goods, being of the growth and produce of foreign plantations not belonging to her Majesty or her subjects, were subject upon their importation into Great Britain, to pay only such duties and customs as were payable on the seventeenth day of May, in the year of our Lord one thousand seven hundred and three, for the like goods of the produce of her Majesty's plantations imported by English shipping: and whereas several considerable quantities of prize cocoa, sugars, indigo, and other prize goods, of the growth and produce of such foreign plantations, have been already imported into this kingdom, and are now in several warehouses under the Queen's lock, and other quantities of the like goods are on board divers ships or vessels, now imported, and more are daily expected, and if the same should pay the duties they were to pay in case they had not been prize, the same will not be worth freight, custom, and charges; which will be not only a great loss and detriment to the importers thereof, but also a great prejudice to the trade of this kingdom: for remedy whereof, be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That all cocoa, sugars, indigo, and other goods, taken and condemned as prize goods, of the growth and produce of such foreign plantations, which are already imported into this kingdom of Great Britain, or shall at any time hereafter, before

Prize goods of the growth of foreign plantations, brought into the Great Britain

before 29 May, 1712. shall pay only such duties as these of the growth of plantations belonging to the crown. the twenty ninth day of *May*, one thousand seven hundred and twelve, be imported into the said kingdom, or which now are in any warehousés under the Queen's locks, or on board any ship or ships, vessel or vessels, now imported, having certificates to prove the same prize goods, shall be subject and liable to pay only such duties and customs as the same would have paid if the said goods had been of the growth and produce of the plantations, islands, or colonies in *America*, belonging to the crown of *Great Britain*.

Prize goods of the growth of such foreign plantations, imported after 29 May, 1712. from any of the plantations in *America*, on producing a certificate, &c. shall pay such duties only as if they had been of the growth of British plantations.

Prize cocoa from the plantations, how to be charged, 10 Annæ, c. 26. f. 113.

II. And be it further enacted, That all prize goods, being of the growth and produce of such foreign plantations, which shall at any time after the twenty ninth day of *May*, one thousand seven hundred and twelve, be imported into any part of *Great Britain*, from any of the plantations, islands, or colonies in *America* aforesaid, upon producing a certificate under the hand and seal of the collector, comptroller, or other chief officer at the port or place where such goods were embarked or put on board in *America*, are the same goods as were condemned in the high court of admiralty within such plantation, island, or colony in *America* aforesaid, as shall appear to the said collector, comptroller, or other chief officer there, by affidavit made by the person or persons exporting such prize goods, and also an affidavit made before the proper officer of the customs of such port or place in this kingdom where the said goods shall be imported, by the master, or purser, or other person commanding the ship or vessel importing the same, that the goods so imported are the same goods for which the said certificate was made by the collector, comptroller, or other chief officer in *America*, as aforesaid, shall be subject and liable to, and shall pay such duties only in *Great Britain*, as in case they had been of the growth and produce of the plantations, islands, or colonies in *America*, belonging to the crown of *Great Britain*; any thing in the said recited act, or any other act, or any usage or custom, to the contrary in any wise notwithstanding.

CAP. XXIII.

An act for the more effectual preventing fraudulent conveyances, in order to multiply votes for electing knights and shires to serve in parliament.

7 & 8 W. 3.
c. 25.

WHEREAS by an act of parliament made in the seventh year of the reign of his late majesty King William the Third, intituled, An act for the further regulating elections of members to serve in parliament, and for the preventing irregular proceedings of sheriffs and other officers in the electing and returning such members, it is, amongst other things, enacted, That all conveyances of any messuages, lands, tenements, or hereditaments, in any county, city, borough, town corporate, port, or place, in order to multiply votes, or to split and divide the interest in any houses or lands amongst several persons, to enable them to vote at elections of members to serve in parliament, shall be void and of no effect; and that no more than

one single voice, shall be admitted for one and the same house and tenement: and whereas (notwithstanding this provision to the contrary) many fraudulent and scandalous practices have been used of late to create and multiply votes at the election of knights of the shire to serve in parliament, to the great abuse of the antient law and custom of that part of Great Britain called England, to the great injury of these persons who have just right to elect, and in prejudice of the freedom of such elections; therefore for the more effectual preventing of such undue practices, be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That all estates and conveyances whatsoever made to any person or persons in

fraudulent or collusive manner, on purpose to qualify him or them to give his or their vote or votes at such elections of knights of the shire (subject nevertheless to conditions or agreements to defeat or determine such estate, or to re-convey the same) shall be deemed and taken, against those persons who executed the same, as free and absolute, and be holden and enjoyed by all and every such person or persons to whom such conveyance shall be made, as aforesaid, freely and absolutely acknowledged, enjoyed, and discharged, of and from all manner of suits, conditions, clauses of re-entry, powers of revocation, reversions or returns, and of other detractions whatsoever, between or with the said parties, or any other person or persons in trust for them, and that all bonds, covenants, collateral or other securities, contracts or agreements, between or with the said parties, or any other person or persons in trust for them, or any of them, for the redeeming, revoking, or defeating such estate or estates, or for the restoring, or reconveying thereof, or any part thereof, to any person or persons who made or executed such conveyance, or to any other person or persons in trust for them, or any of them, shall be null and void to all intents and purposes whatsoever; and that every person who shall make and execute such conveyance or conveyances, as aforesaid, or being privy to such purpose, shall devise or prepare the same, and every person who, by colour thereof, shall give any vote at any election of any knight or knights of a shire to serve in parliament, shall, for every such conveyance so made, or vote so created or given, forfeit the sum of forty pounds to any person who shall sue for the same, to be recovered, together with full costs of suit, by action of debt, bill, plaint, or information, in any of her Majesty's courts of record at Westminster, wherein no pardon, privilege, protection, wager of law, or more than one imparlance shall be admitted or allowed.

II. And be it further enacted by the authority aforesaid, That from and after the first day of May, which shall be in the year of our Lord one thousand seven hundred and twelve, no person shall vote for the electing of any knight of a shire within that part of Great Britain called England, in respect or in right of any lands or tenements which have not been charged or assessed to the

all conveyances fraudulently made to qualify any person to vote (subject to conditions to defeat the same) shall be discharged of such conditions, &c.

And all bonds, &c. for defeating such estate shall be void.

Persons making, &c. such conveyance, or voting by colour thereof, shall, for every such offence, forfeit 40*l*.

After 1 May, 1712, no persons shall vote for a knight of a shire, in right of lands which have not been

charged to publick taxes, &c. and for which such person has not received the rents for one year before; unless such lands came to him by descent, &c.
This clause explained 12 Anna, stat. 1. c. 5. on penalty of 40l. 18 Geo. 2. c. 11.

the publick taxes, church rates, and parish duties, in such proportion as other lands or tenements of forty shillings *per annum*, within the same parish or township where the same shall lie or be, are usually charged, and for which such person, shall not have received the rents or profits, or be entitled to have received the same, to the full value of forty shillings, or more, to his own use, for one year before such election, unless such lands or tenements came to such person within the time aforesaid by descent, marriage, marriage settlement, devise, or presentation to some benefice in the church, or by promotion to some office unto which such freehold is affixed; and if any person shall vote in any such election, contrary to the true intent and meaning hereof, he shall, for every such offence, forfeit the sum of forty pounds; one moiety thereof to the poor of the parish or parishes where the lands or tenements lie, for which such person shall vote, and the other moiety to the person or persons who shall sue for the same, to be recovered by action of debt, bill, plaint, or information, in any of her Majesty's courts of record at *Westminster*, wherein no essoin, privilege, protection, or wager of law, shall be allowed, or more than one imparlance.

The oath required by the act 7 W. 3. c. 25. repealed.

III. *And whereas by the above recited act, it is also further enacted, That upon every election to be made of any knight or knights of the shire to serve in parliament, every freeholder, before he is admitted to poll at the same election, shall (if required by the candidates, or any of them) first take the oath therein after mentioned, be it enacted by the authority aforesaid, That the said act, as to so much only as concerns the said oath, shall be and is hereby repealed.*

Freeholders to be sworn;

IV. And be it further enacted by the authority aforesaid, That upon every election to be made of any knight or knights of a shire within that part of *Great Britain* called *England*, to serve in parliament, every freeholder, before he is admitted to poll at the same election, shall (if required by the candidates, or any of them, or any other person having a right to vote at such election, first take the oath following, *viz.*

Their oath.
 Another oath appointed by 18 Geo. 2. c. 18.

YOU shall swear, That you are a freeholder in the county of *and have freehold lands or hereditaments* lying or being at *in the county of* of the yearly value of forty shillings above all charges payable out of the same; and that such freehold estate hath not been made or granted to you fraudulently, on purpose to qualify you to give your vote; and that the place of your abode is at *in* and that you have not been polled before at this election.

To be administered by the sheriff, &c. freeholder committing wilful perjury, or any person suborning him

Which oath the sheriff, by himself, his under sheriff, or such sworn clerk or clerks (as shall be by him appointed for the taking the poll, pursuant to the said recited act) is hereby required to administer; and in case any freeholder, or other person, taking the said oath hereby appointed, shall thereby commit wilful and corrupt perjury, and be thereof convicted, or if any person

son do unlawfully and corruptly procure or suborn any freeholder, or other person, to take the said oath, in order to be polled, whereby he shall commit such wilful and corrupt perjury, and shall be thereof convicted, he and they, for every such offence, shall incur the like pains and penalties as are in and by one act of parliament made in the fifth year of the reign of the late Queen Elizabeth, intituled, *An act for punishment of such persons as shall procure or commit any wilful perjury*, enacted against all such who shall commit wilful perjury, or suborn or procure any person to commit any unlawful or corrupt perjury contrary to the said act.

so to do, shall incur the penalties of 5 EAz. c. 9.

V. And the better to detect and punish any offenders against this act, be it enacted by the authority aforesaid, That in taking the poll, the sheriff, or his under sheriff, and clerks, shall enter not only the place of the elector's freehold, but also the place of his abode, as he shall declare the same at the time of the giving his vote, and shall also make or enter *Jurat* against the name of every such voter who shall be tendred and take the oath hereby required; and that the said sheriff, or returning officer, shall, within the space of twenty days next after such election, faithfully deliver over upon oath (which oath the two next justices of the peace, one of whom to be of the *Quorum*, are hereby enabled and required to administer) unto the clerk of the peace of the same county, all the poll books of such respective elections, without any imbezilment or alteration; and in such counties where there are more than one clerk of the peace, then the original poll books to one of such clerks of the peace, and attested copies thereof to the rest, to be carefully kept and preserved among the records of the sessions of the peace of and for the said county.

The elector's name, &c. to be entred.

Poll books to be delivered upon oath to the clerk of the peace to be kept among the records of the sessions.

VI. And be it further enacted by the authority aforesaid, That the sheriff of the county of *York*, for the time being, shall be and is hereby required to appoint seven convenient tables or places for taking the poll of the said county upon any new election of a knight or knights of the shire for the said county, at the proper costs and charges of the candidates for the same, to continue till the poll be concluded.

Sheriff of Yorkshire to appoint seven tables for taking the poll, at the costs of the candidates:

VII. And be it further enacted by the authority aforesaid, That the sheriff of the county palatine of *Chester* for the time being, against every election of a knight or knights of the shire to serve in parliament for the said county, shall and is hereby required to cause seven convenient tables or places, and no more, to be made at the costs and charges of the candidates, within the shire hall of the said county, for taking the poll at such elections, that is to say, two at the upper end, two at each side, and one at the lower end of the said hall, and shall at such place take the poll at such elections till the same be concluded.

Sheriff of Cheshire to do the like.

VIII. Provided always, and be it enacted by the authority aforesaid, That if any person being a *Quaker*, during the continuance of an act passed in the seventh year of his late Majesty's reign, intituled, *An act that the solemn affirmation and declaration*

Quakers declaring the effect of the oath on their affirmation, as

directed by
7 & 8 W. 3.
c. 34. shall be
admitted to
vote.

of the people called Quakers, shall be accepted instead of an oath in the usual form, shall upon such election, as aforesaid, if required by the candidates, or any of them, declare the effect of the said oath upon his solemn affirmation, in such manner and form as is directed by the said act of parliament made in the seventh year of the reign of his late majesty King William the Third, intituled, An act that the solemn affirmation and declaration of the people called Quakers, shall be accepted instead of an oath in the usual form; every such Quaker shall be capable and admitted to give his vote for the election of any such member, as aforesaid, to serve in the house of commons within that part of Great Britain called England; and every sheriff, by himself, or such his proper officer, as aforesaid, is hereby authorized and required to accept such affirmation instead of the said oath, and shall also make o. enter Affirmat against the name of every such Quaker; and in case any such Quaker shall be convicted, wilfully, falsely and corruptly to have affirmed or declared any matter or thing, which, if the same had been in the usual form, would have amounted to wilful and corrupt perjury, every such Quaker so offending, shall incur the same penalties and forfeitures as are herein before enacted against persons convicted of wilful and corrupt perjury.

And affirming
any thing false
shall incur the
penalties be-
fore enacted
against per-
jury.

CAP. XXIV.

12 & 13 W. 3.
c. 9.
* 6 Annæ, c. 8.

An act for prolonging the term for payment of certain duties granted by an act made in the twelfth and thirteenth years of his late majesty King William, intituled, *An act for recovering, securing, and keeping in repair the harbour of Minehead, for the benefit and support of the navigation and trade of this kingdom.*

The ancient usage mentioned in the recited act, and the duties, &c. thereby laid on goods, &c. after June 24, 1701. shall from thence be continued for 16 years, and be levied, &c. as in the said act is directed. Trustees appointed to put this and the former act in execution. A lantern to be fixed at the key-head of the new work, and lights burnt therein between Sept. 1. and March 31. Goods shipped within the liberty, &c. shall pay the duties. Goods shipped or discharged at Blue Anchor, &c. chargeable with the same duties as if they had been shipped, &c. within the harbour of Watchett. Clause for repairing the highways from Birdlipp and top of Crickley Hills to Gloucester city. Nothing in these acts shall give power to demand the arrears of 6 d. per pound granted by the former act, other than what was in the collectors' hands before 17 March, 1711. *Continued by 7 Geo. 1. c. 14.*

CAP. XXV.

An act for raising the militia for the year one thousand seven hundred and twelve, although the month's pay formerly advanced be not repaid: and for rectifying a mistake in an act passed this session of parliament, intituled, An act for punishing mutiny and desertion and false musters, and for the better payment of the army and quarters: and for taking accounts of trophy money formerly raised and collected.

Lieutenants,
&c. shall not
issue warrants
for raising

IV. **A**ND be it further enacted by the authority aforesaid, That the said lieutenants or their deputies shall not issue out warrants for the raising any trophy money, till the justices

justices of the peace, or the major part of such justices, at their several and respective general quarter sessions for their respective counties, ridings, divisions, and places, shall have examined, stated, and allowed the accounts of the trophy money last raised, levied and collected for any preceding year, and certified such examination of the said accounts under the hands and seals of three or more of such justices to the said respective lieutenants or their deputies.

trophy money, till the justices in quarters sessions have allowed the accounts of that last raised for any preceding year.

CAP. XXVI.

An act for laying additional duties on hides and skins, vellum and parchment, and new duties on starch, coffee, tea, drugs, gilt and silver wire, and policies of insurance, to secure a yearly fund for satisfaction of orders to the contributors of a further sum of one million eight hundred thousand pounds towards her Majesty's supply; and for the better securing the duties on candles; and for obviating doubts concerning certain payments in Scotland; and for suppressing unlawful lotteries, and other devices of the same kind; and concerning cake soap; and for relief of Mary Ravenall, in relation to an annuity of eighteen pounds per annum; and concerning prize cocoa nuts brought from America; and certain tickets which were intended to be subscribed into the stock of the South Sea company; and for appropriating the monies granted in this session of parliament.

MOST gracious Sovereign, We your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, being fully resolved to furnish such supplies as may be necessary for defraying the expences of the present war, and other your Majesty's extraordinary and important occasions, have, for those ends and purposes, cheerfully and unanimously given and granted, and do by this act give and grant to your Majesty the several and respective additional rates and new duties for and upon all such skins and hides, and pieces of skins and hides, made wares, vellum, and parchment, starch, coffee, tea, drugs, gilt and silver wire, policies of assurance, and such other matters and things as are herein after more particularly described and mentioned, for and during such several and respective term and terms of years, and in such manner and form as are herein after expressed; and do most humbly beseech your Majesty that it may be enacted, and be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons in this present parliament assembled, and by authority of the same, That there shall be raised, levied, collected and paid, unto and for the use of her Majesty, her heirs and successors, for and upon such skins and hides, and pieces of skins and hides, and for and upon such made wares, herein after particularly described and mentioned, as shall at any time or times within or during the term

New duties on leather, &c. imported, for 32 years, from 1 Aug. 1712. Made perpetual by 3 Geo. 1. of c. 7. s. 1.

of thirty two years, to be reckoned from the first day of *August*, one thousand seven hundred and twelve, be imported or brought into the kingdom of *Great Britain* (over and above all other customs, subsidies, and duties, by any act or acts of parliament or law whatsoever, imposed upon or payable for the same) the several and respective additional rates or new duties herein after exprest; that is to say,

- Deer skin** For and upon all deer skins, which shall be imported or brought in, as aforesaid, being dressed in oil or allom, or otherwise perfectly dressed, the sum of three pence for every pound weight *averdupois*, and after that rate for a greater or lesser quantity.
- Lohee, buffalo, &c.** For and upon all lohee, buffalo, elk, or any other hides, dressed in oil, which shall be imported or brought in, as aforesaid, the sum of three pence for every such pound weight, and after that rate for a greater or lesser quantity.
- Russia hides.** For and upon all *Russia* hides, which shall be imported or brought in, as aforesaid, the sum of one penny for every such pound weight, and after that rate for a greater or lesser quantity.
- Calve skins.** For and upon all other tanned hides and tanned calve skins, which shall be imported or brought in, as aforesaid (not before in this act specially charged) the sum of two pence for every pound weight, and after that rate for a greater or lesser quantity.
- Horse hides.** For and upon all hides of horses, mares, and geldings, which shall be imported or brought in, as aforesaid, being dressed in allom and salt, or meal, or otherwise tawed, the sum of one shilling *per* hide, and after that rate for a greater or lesser number or quantity.
- Hides of steers, &c.** For and upon all hides of steers, cows, or any other hides of what kind soever (those of horses, mares, and geldings excepted) which shall be imported or brought in, as aforesaid, being dressed in allom and salt, or meal, or otherwise tawed, the sum of one shilling and six pence for every hide, and after that rate for a greater or lesser number or quantity.
- Calve skins, &c.** For and upon all calve skins and kips, which shall be imported or brought in, as aforesaid, being dressed in allom and salt, or meal, or otherwise tawed, the sum of one penny half penny for every pound weight *averdupois*, and after that rate for a greater or lesser quantity.
- Slinks.** For and upon all flink calve skins, which shall be imported or brought in, as aforesaid, dressed in allom and salt, or otherwise, with the hair on, the sum of one penny for every pound weight *averdupois*; and for all flink calve skins which shall be imported or brought in, as aforesaid, dressed in allom and salt, or otherwise, without the hair, and for all dog skins so dressed, which shall be imported or brought in, as aforesaid, the sum of one half penny for every such pound weight, and after those rates for any greater or lesser quantities.
- Cordivants.** For all skins commonly called cordivants, which shall be imported or brought in, as aforesaid, the sum of four shillings for every

every dozen, and after that rate for any greater or lesser number or quantity.

For and upon all other goat skins (not usually called cordi- Goat skins.
vants) which shall be imported or brought in, as aforesaid, being dressed in oil, or with allom, salt, meal, or otherwise dressed, the sum of four shillings for every dozen, and after that rate for a greater or lesser quantity.

For and upon all kid skins, which shall be imported or brought Kid skins.
in, as aforesaid, being dressed or undressed, or not perfectly dressed, the sum of six pence for every dozen, and after that rate for any greater or lesser number or quantity: and if any of the said kid skins shall be dressed after the importation thereof, it is hereby declared, that no further duties are to be paid for the same by this act upon the dressing or perfect dressing them, or any of them in *Great Britain*.

For and upon all sheep skins and lamb skins, which shall be Sheep and
imported or brought in, as aforesaid, the respective rates follow- lamb skins.
ing; that is to say, For all imported sheep skins dressed in oil, one shilling and six pence per dozen; for all imported lamb skins dressed in oil, one shilling per dozen; for all imported sheep skins and lamb skins tanned, nine pence per dozen, and for and upon all imported sheep skins and lamb skins dressed in allom and salt, or meal, or otherwise tawed, six pence per dozen, and in proportion to those rates for a greater or lesser number, numbers or quantities of such sheep skins and lamb skins respectively.

And for and upon all hides and skins, and pieces of hides and Hides, &c.
skins, which shall be imported or brought in, as aforesaid, being imported not
tanned, tawed, or dressed, and not herein before particularly before charg-
ed, charged, and for and upon all wares made into manufactures of leather, or any manufactures whereof the most valuable part shall be leather, a duty after the rate of fifteen pounds for every one hundred pounds of the true and real value of the hides and skins, and pieces of hides and skins, and of the manufactures last mentioned, and so proportionably for a greater or lesser quantity, to be affirmed upon the oath of the importer thereof: the said several and respective rates and duties for and upon all such hides and skins, and pieces of hides and skins, and made wares, to be imported or brought in, as aforesaid, within or during the term before mentioned, to be paid by the importers thereof respectively.

II. And be it further enacted by the authority aforesaid, That New duties on
there shall be raised, levied, collected, and paid, unto and for leather manu-
the use of her Majesty, her heirs and successors, for and upon factured in
such skins and hides, and pieces of skins and hides, herein after Great Britain,
more particularly described and mentioned, as shall at any time from 1 Aug.
or times within or during the said term of thirty two years, to 1711.
be reckoned from the first day of *August*, one thousand seven Made perpetual
hundred and twelve, be tanned, tawed or dressed within *Great by 3 Geo. 1.
Britain* (over and above all other rates and duties by any act or c. 7. l. 1.
acts of parliament or law whatsoever imposed upon or payable for

for the same) the several and respective additional rates or new duties herein after expressed, That is to say,

- Tanned hides.** For and upon all hides, of what kind soever, which shall be so tanned in *Great Britain*, the sum of one half penny for every pound weight *averdupois*, and after that rate for a greater or lesser quantity.
- Calve skins, &c.** For and upon all calve skins, kips, hog skins and dog skins, which shall be so tanned in *Great Britain*, the like sum of one half-penny for every such pound weight, and after that rate for a greater or lesser quantity.
- Goat skins.** For and upon all goat skins, which shall, within or during the said term be tanned with thomack, or otherwise in *Great Britain*, to resemble *Spanish* leather, the sum of two pence for every pound weight of *averdupois*, and after that rate for a greater or lesser quantity.
- Sheep skins and lamb skins.** For and upon all sheep skins, which, within or during the same term, shall be tanned for roans, being after the nature of *Spanish* leather, within *Great Britain*, a duty after the rate of one penny for every pound weight *averdupois*; and for and upon all sheep skins and lamb skins, which within and during the same term, shall be tanned for gloves, and bazils, within *Great Britain*, a duty after the rate of one penny for every pound weight, and proportionally for greater or lesser quantities of sheep skins and lamb skins to be so tanned in *Great Britain* respectively.
- Tanned skins not before charged.** And for and upon all other skins, and pieces and parts of skins, which, within or during the term last mentioned, shall be tanned in *Great Britain*, (not before particularly charged) a duty after the rate of fifteen pounds for every one hundred pounds of the true and real value thereof, and proportionally for greater or lesser numbers or quantities: the said several rates and duties for and upon all such hides and skins, and pieces of hides and skins tanned in *Great Britain*, to be paid by the tanners thereof respectively.
- Tawed horse hides.** And for and upon all hides of horses, mares and geldings, which at any time or times during the said term of thirty two years, shall be dressed in alom and salt, or meal, or otherwise tawed in *Great Britain*, the sum of six pence for every hide, and after that rate for a greater or lesser quantity or number of such hides.
- Hides of steers.** For and upon all hides of steers, cows, or any other hides of what kind soever (those of horses, mares and geldings excepted) which shall be so dressed in alom and salt, or meal, or otherwise tawed in *Great Britain*, the sum of one shilling for every such hide, and after that rate for a greater or lesser quantity or number.
- Calve skins, &c.** For and upon all calve skins and kips, which shall be so dressed in alom and salt, or meal, or otherwise tawed in *Great Britain*, the sum of one half-penny for every pound weight *averdupois*, and after that rate for a greater or lesser quantity.

For

For and upon all flink calve skins, which shall be so dressed in allom and salt, or meal, or otherwise tawed in *Great Britain*, with the hair on, the sum of one shilling and six pence for every dozen, and after that rate for a greater or lesser quantity. Slinks with the hair on.

For and upon all flink calve skins, which shall be so dressed or tawed without hair, and upon all dog skins which shall be tawed, as aforesaid, in *Great Britain*, the sum of six pence for every dozen, and after that rate for a greater or lesser number or quantity. Slinks without hair, and dog skins.

For and upon all buck and doe skins (except such as shall have paid the full duty on the importation, as aforesaid) which shall be dressed in allom and salt, or meal, or be otherwise tawed, as aforesaid, in *Great Britain*, the sum of three pence for every pound weight *averdupois*, and after that rate for a greater or lesser quantity. Buck and doe skins.

For and upon all kid skins, which shall be so dressed or tawed in *Great Britain*, (except such as shall have paid the full duty on the importation, as aforesaid) the sum of six pence for every dozen, and after that rate for a greater or lesser quantity. Kid skins.

For and upon all goat skins, which shall be so dressed in allom and salt, or meal, or be otherwise tawed in *Great Britain*, the sum of six pence for every dozen, and after that rate for a greater or lesser number or quantity. Goat skins.

For and upon all bever skins which shall be so tawed in *Great Britain*, the sum of one shilling for every dozen, and after that rate for a greater or lesser number or quantity. Bever skins.

For and upon all sheep skins and lamb skins to be dressed in allom and salt, or meal, or otherwise tawed in *Great Britain*, the sum of three farthings for every pound weight *averdupois*, and after that rate for a greater or lesser quantity. Sheep and lamb skins. See 3 Geo. 1. c. 4. s. 13.

And for and upon all other skins, and parts and pieces of skins to be tawed in *Great Britain*, (not before particularly charged) a duty after the rate of fifteen pounds for every one hundred pounds of the true and real value thereof, and proportionally for greater or lesser numbers or quantities: which said several rates and duties for and upon all hides and skins, and pieces of hides and skins, to be dressed in allom and salt, or meal, or otherwise tawed in *Great Britain*, shall be paid by such persons as shall be the tawers or makers thereof into leather respectively. Tawed skins not before charged.

For and upon all deer skins, goat skins, and bever skins, which, within or during the term aforesaid, shall be dressed in oil within *Great Britain*, the sum of two pence for every pound weight *averdupois*, and after that rate for a greater or lesser quantity. Deer skins, &c. dressed in oil.

For and upon all calve skins, which shall be so dressed in oil within *Great Britain*, the like sum of four pence for every pound weight *averdupois*, and after that rate for a greater or lesser quantity. Calve skins.

For and upon all sheep skins and lamb skins, which shall be so dressed in oil in *Great Britain*, the rate of two pence for every pound weight *averdupois*, and after that rate for a greater or lesser number or quantity. Sheep skins and lamb skins.

ry such pound weight, and proportionally for greater or lesser quantities of such sheep skins and lamb skins respectively.

Skins dressed
in oil, not be-
fore charged.

And for and upon all other hides and skins, and all pieces of hides and skins, which, within or during the term aforesaid, shall be dressed in oil in *Great Britain*, the sum of two pence for every pound weight *averdupois*, and after that rate for greater or lesser quantities or numbers. The said several duties on hides and skins, and pieces of hides and skins, to be dressed in oil within *Great Britain*, to be paid by the oil leather dressers respectively.

Duty on vel-
lum and
parchment
imported or
made in Great
Britain
*Made perpetual
by 1 Geo. 1.
c. 7. s. 1.*

III. And be it further enacted by the authority aforesaid, That there shall be raised, levied, collected, and paid, unto, and for the use of her Majesty, her heirs and successors, for and upon all vellum and parchment which shall, at any time or times within or during the said term of thirty two years, to be reckoned from the said first day of *August*, one thousand seven hundred and twelve, be made in *Great Britain*, or imported into the same (over and above all other duties by any act or acts of parliament or law whatsoever imposed upon or payable for the same) the several and respective additional rates or new duties herein after expressed, that is to say, for and upon all vellum so imported an additional rate of three shillings for every dozen; and for all parchment so imported, an additional rate of two shillings for every dozen, and proportionally for greater or lesser numbers or quantities, to be paid by the importers thereof respectively; and for and upon all vellum which shall be made in *Great Britain*, as aforesaid, an additional duty after the rate of two shillings for every dozen; and for all parchment which shall be made in *Great Britain*, as aforesaid, an additional duty after the rate of one shilling for every dozen, to be paid by the makers thereof respectively.

These new du-
ties to be rais-
ed as the du-
ties on leather,
c. 7.

IV. And be it further enacted by the authority aforesaid, That the several and respective additional or new rates and duties by this act imposed or chargeable for and upon all or any such hides and skins, and pieces of hides and skins, made wares, vellum, and parchment, as aforesaid, for and during the said term of years hereby granted, of and in the same, shall and may, from time to time, be ascertained, raised, received, levied, recovered, and secured, by such ways, means, and methods, and by the same or different stamps and marks, and under such pains of death, and other penalties and forfeitures, and with such powers of adjudging the said duties, and adjudging and mitigating the said penalties and forfeitures, or any of them, and other powers, and subject to proportional allowances, drawbacks, and repayments, and to such rules and directions, and in such methods, manner, and form, as the respective duties upon the like hides and skins, and pieces of hides and skins, made wares, vellum, and parchment, granted by an act in the ninth year of her Majesty's reign, intituled, *An act for laying certain du-*

and parchment, for the term of thirty two years, for prosecuting the war and other her Majesty's most necessary occasions, are by that act, or any law or statute thereby referred unto, prescribed, appointed, or enacted, during the continuance thereof, to be altered, raised, received, levied, secured, or recovered; and that the act last-mentioned, and all the clauses, pains of death, penalties, forfeitures, powers, authorities, rules, directions, matters, and things, therein contained, or thereby referred unto, for the raising, receiving, levying, recovering, securing, paying, or accounting for the said duties thereby granted, or any arrearages of the same, or any way relating to the same duties, pains, penalties, or forfeitures, by that act chargeable, by force and virtue of this present act, be continued, practised, and put in execution, for raising, receiving, levying, recovering, securing, paying, and accounting for the duties upon hides and skins, and pieces of hides and skins, made wares, vellum, and parchment, by this act granted, and all arrearages thereof, as fully, and effectually to all intents and purposes, as if they were particularly and at large repeat'd in the body of this present act.

V. And whereas some doubts have arisen upon the said act of the ninth year of her Majesty's reign, whether a debenture could be given in pursuance of the said act by the customer or collector of the customs for two thirds of the duties upon hides and calve skins shipped for exportation, unless the marks or stamps denoting the charging the duty payable by that act did appear to them thereupon; and it being often found inconvenient that the exporters should be obliged to open their bails or packs of leather at the port of exportation; it is hereby provided and enacted by the authority aforesaid, That upon oath made by the exporter, unless such exporter be a known quaker, and if he be, then upon the solemn affirmation of such quaker (which oath or affirmation the customer or collector is hereby impowered to administer) that all the hides or skins contained in such bails or packs respectively, were marked with the marks or stamps denoting the charging of the duties payable by this act and the said former act, or either of them, and expressing particularly how much the duty so denoted to have been paid or charged by the said former act for such hides or skins doth amount unto, exclusive of the duty upon the flock in hand; and also how much the duties so denoted to have been paid or charged by this act for such hides or skins doth amount unto, and expressing the weight of the hides and calve skins so exported or shipped for exportation, in such oath or affirmation; then and in every such case, it shall and may be lawful for the customer or collector (such security being given as the said act requires) to make forth a debenture for the two third parts of the said duties payable by the said former act and this present act, or either of them, for the hides and calve skins already exported, or shipped to be exported, for which no drawback hath already been paid, and for the like hides and calve skins which shall hereafter be exported, or shipped to be exported, and for which a drawback ought to be made, according to the true meaning of this or the said former act; and

9 Annæ, c. 11.
s. 39.

On oath of the exporter, that the hides have been marked, &c.

Debentures to be made out for a drawback of two thirds of the duty.

every such debenture being verified by the certificate of the searcher, attesting the shipping of such hides and skins, shall be satisfied according to this and the said former act, as fully as if the marks or stamps on the said hides and skins had been seen by the proper officer of the customs; any thing in this or the said former act contained to the contrary notwithstanding.

Hides dressed or curried to back on exportation of one penny per lb.

9 Annæ, c. 11.

By 12 Annæ, stat. 2. c. 9. s. 64. a farther drawback is allowed.

Duties on starch, from 1 Aug. 1712. for 32 years, imported, 2 d. Made perpetual by 1 Geo. 1. c. 7. s. 1.

Made in Great Britain, 1 d.

Duties on imported starch to be raised as the duties on sope.

10 Annæ, c. 19.

VI. And whereas by the said act made last session of parliament, intituled, An act for laying certain duties upon hides, and skins tanned, tawed, or dressed, and upon vellum and parchment, for the term of thirty two years, for prosecuting the war, and other her Majesty's most necessary occasions, there is provision made in the said act, that a drawback be allowed upon all tanned or rough hides and calve skins, upon their exportation, but no allowance is made for a drawback on hides or calve skins that are dressed or curried: for remedy whereof, be it enacted, and it is hereby enacted by the authority aforesaid, That all hides or calve skins that are or shall be dressed, or curried, shall be entitled to a drawback upon their exportation, of one penny per pound weight, as they shall weigh at the custom-house, to be paid and allowed in the same manner, and under such cautions, rules, and security, as the drawback upon rough tanned hides and calve skins is to be paid or allowed.

VII. And be it enacted by the authority aforesaid, That there shall be raised, levied, collected, and paid, unto and for the use of her Majesty, her heirs and successors, for and upon all starch which, at any time or times within or during the term of thirty two years, to be reckoned from the first day of August, one thousand seven hundred and twelve, shall be imported or brought into the kingdom of Great Britain (over and above all customs, subsidies, and duties already imposed thereupon) the sum of two pence for every pound weight, consisting of sixteen ounces *avordupois*, and after that rate for a greater or lesser quantity, to be paid down in ready money by the importers thereof, from time to time, before the landing of the same; and for and upon all starch of what kind soever, which at any time or times within or during the same term of thirty two years, shall be made within the said kingdom of Great Britain, the sum of one penny for every such pound weight *avordupois*, and after that rate for a greater or lesser quantity: the same to be paid by the makers thereof respectively.

VIII. And be it enacted by the authority aforesaid, That the said duties upon imported starch shall be raised, levied, recovered, answered, and paid, and be brought into the receipt of her Majesty's Exchequer in England, (to and for the uses and purposes in this act expressed) by such rules, ways, means, and methods, and under such penalties, forfeitures, and disabilities, and with such allowances, and in such manner and form, as the duties upon imported sope, granted by one other act of the present session of parliament, or by any laws and statutes therein referred unto, are to be raised, levied, recovered, answered, and paid.

IX. And

IX. And for the better ascertaining, charging, and securing the duties by this act set and imposed upon all sorts of starch made in *Great Britain*, during the term last-mentioned, according to the true meaning of this act, and for preventing of frauds concerning the same: be it further enacted by the authority aforesaid, That such commissioners or persons as her Majesty, her heirs or successors, or the high treasurer of *Great Britain* now being, or the high treasurer of *Great Britain*, or any three or more of the commissioners of the treasury for the time being, shall, from time to time, by one or more commission or commissions for that purpose appoint, shall be her Majesty's commissioners for the receipt and management of the said duties set and imposed upon all the starch made within *Great Britain* chargeable by this act; which said commissioners, or the major part of them respectively, shall and have hereby power, by commissions under their respective hands and seals, to substitute and appoint under them such receivers general, collectors, comptrollers, surveyors, and other officers, as shall be requisite and necessary for the purposes aforesaid; and that the said commissioners so to be appointed, and all the officers for the said duties on starch, shall have out of the same such salaries and rewards for their respective services, in relation to the same duties, as the said high treasurer now being, or the high treasurer, or any three or more of the commissioners of the treasury for the time being, shall think reasonable to establish or allow in that behalf; and that the respective commissioners for the said duties on starch to be made in *Great Britain*, for the time being, shall, from time to time, cause all the monies to arise by or for the said duties on starch to be made in *Great Britain*, during the term aforesaid, (the necessary charges of managing, collecting, and raising the same excepted) to be paid, from time to time, as the same shall arise, into the receipt of her Majesty's Exchequer in *England*, under the penalties, forfeitures, and disabilities herein after expressed.

Her Majesty
or treasury to
appoint com-
missioners.

Commission-
ers to substi-
tute inferior
officers.

The monies
to be paid in-
to the Exche-
quer.

X. And it is hereby enacted by the authority aforesaid, That all and every person and persons whatsoever, who, on or before the first day of *August*, in the year of our Lord one thousand seven hundred and twelve, shall make any starch in *Great Britain*, for sale or not for sale, shall, on or before the same first day of *August*, one thousand seven hundred and twelve, give notice in writing at the office for the said duties on starch, next to the place where such starch shall be made, of their respective names and places of abode, and of every work-house, store-house, room, and other place by him, her, or them respectively made use of in or for the making, drying, and keeping of such starch, or of flour, meal, or other materials proper to be made into starch, and also of all the fats, troughs, boxes, kilns, stoves, utensils, and vessels, used in the making of the same; and that from and after the said first day of *August*, during the continuance of the said duties upon starch, no maker of starch shall erect, set up, alter, change, enlarge, or make use of any work-house, store-house, room

Starch makers
to give ac-
count of their
names and
places of a-
bode, and of
their work-
houses, &c. at
the next office,
on forfeiture
of 50 l.

room, or other place, for the making, drying, or keeping of starch, or for the converting or keeping any flour, meal, or other materials proper to be made into starch, or use any fat, trough, box, stove, utensil, or other vessel, for the making of starch, without first giving notice thereof in writing, or unless notice thereof shall have been before given in writing at the next office, as aforesaid; and if any maker of starch shall erect, set up, alter, enlarge, or make use of any work-house, store-house, or room or other place, for the making, drying, or keeping of starch, or for the keeping or converting of any flour, meal, or other materials proper to be made into starch, or shall use any fat, trough, kiln, stove, box, utensil, or other vessel, for the making of starch, without giving such notice thereof, as aforesaid, contrary to the true meaning of this act, then, and in every such case, the offender therein, for every such offence, shall forfeit the sum of fifty pounds.

Starch-makers in London, &c. to make entry on oath monthly, in all other places in 6 weeks, on forfeiture of 50 l.

XI. And it is hereby enacted, That from and after the said first day of *August*, during the continuance of the said duties upon starch hereby granted, all and every person and persons whatsoever, who shall make any starch in *London, Westminster*, or in any parts within the weekly bills of mortality, shall monthly and every month, and all and every person or persons whatsoever, who shall make any starch in any other part of *Great Britain*, shall once in every six weeks, make a true entry in writing at the next office for the said duties, of all the starch by him, her, or them severally made within such months or six weeks respectively; which said entries shall contain the weight of all the starch mentioned therein, and what quantity thereof was made at a time in the several weeks to which such entry shall relate, on pain to forfeit for every neglect of entry the sum of fifty pounds; which entry shall be made upon oath, by the makers of such starch, or by their chief workman or servant employed in making the same, according to the best of their knowledge and belief, unless such maker, workman, or servant be a known quaker, and the solemn affirmation of such maker, workman, or servant to the same effect, in case he or she be a known quaker, shall and may be taken instead of such oath; and the said entries, oaths, and affirmations to verify the same, shall for such starch as shall be made within the limits of the weekly bills of mortality, be made with, and administered by such officer or officers as shall be appointed by the commissioners for the said duties in *England*, or the major part of them, for the time being, who shall attend at a general office in *London or Westminster*, for that purpose; and for all starch made in all other parts of *Great Britain*, with and by the collectors and supervisors of the district or division within which the respective makers of starch shall inhabit, without any fee or charge whatsoever to be demanded or taken for the same.

Entries to be at the next market town.

XII. Provided always, That no maker of starch shall be obliged to go or send further than the market town where his or her starch is made, or the next market town to the place where his or

or her starch is made, for the making of such entries, as aforesaid.

XIII. And be it further enacted by the authority aforesaid, Persons in London, &c. That all and every person and persons whatsoever, who shall make any starch in *London, Westminster*, or within the limits of the said weekly bills of mortality, shall, within four weeks, and all and every person and persons whatsoever who shall make any starch in any other part of *Great Britain*, shall, within six weeks, after he, she, or they shall make, or ought to have made such starch, as aforesaid, pay and clear off all the said duties for starch; which shall be due from him, her, or them respectively; and that all and every such makers of starch, who shall refuse or neglect to make such payment, as aforesaid, shall forfeit and lose, for every such offence, double the sum of the said duty, whereof the payment shall be so refused or neglected; and that no such maker of starch, after such default in payment made, shall deliver, or carry out any starch, until he hath paid and cleared off his duty, as aforesaid, on pain to forfeit double the value of such starch, so delivered or carried out. to clear off the duty in 4 weeks, in any other parts in 6 weeks; on forfeiture of double the duty, &c.

XIV. And be it further enacted by the authority aforesaid, Officers to enter ware-houses, &c. to take account of starch, That all and every the officers for the said duties on starch, shall at all times, by day or by night (and if in the night, then in the presence of a constable, or other lawful officers of the peace) be permitted, upon his or their request, to enter the house, work-house, ware-house, or other place whatsoever, belonging to, or used by any person or persons, who, within or during the last-mentioned term of thirty two years, shall be a maker or makers of any starch whatsoever, and by gauging or weighing of the starch, or gauging the boxes and other utensils, or otherwise, as to such officer shall seem most proper and convenient, to take an account of the just quantity of the starch which shall have been made by such maker or makers of starch, from time to time; and shall thereof make return or report in writing to the respective commissioners for the said duties on starch, or such as they respectively shall appoint to receive the same, leaving a true copy (if demanded) of such report in writing under his hand with or for such maker or makers of starch respectively; and such report or return of the said officer or officers shall be a charge upon such maker or makers of starch; and if the said officer shall refuse or neglect to give or leave a true copy of his report in writing with or for such maker or makers of starch, at the time of taking such account, upon demand, as aforesaid, every such officer, for every such offence, shall forfeit and pay the sum of forty shillings to every such maker and makers of starch respectively. and to make a return in writing to the commissioners, leaving a copy thereof with the maker, on forfeiture of 40s.

XV. Provided always, That if such charge be made by gauging the said starch before it be dried in the stove, then, and in every such case, every box of green starch, or starch before it be so dried, containing fifty seven inches in length, and ten inches in breadth (or by a medium of the breadth) and eight inches in depth, or in the whole, four thousand five hundred and See 1 Geo. 1. stat. 1. c. 2. f. 6. Every box of green starch of 57 inches in length, and 10 in breadth

and 8 in
depth, or 4560
solid inches,
to be charged
as 112 lb of
starch.

Officers to be
sworn, makers
to keep scales
and weights,
&c. on pain
of 20 l.

and sixty solid inches, shall be esteemed one hundred and twelve *overdupois* pounds weight of starch dried and perfectly made, and shall be charged accordingly by this act, and proportionably for greater or lesser quantities.

XVI. Provided also, That every officer, who shall be impowered to make such charge, as aforesaid, shall in the first place be sworn for the due and faithful execution of his office; and the oath in that behalf shall and may be administered by all or any the commissioners of the said duties on starch, or by any of her Majesty's justices of the peace, who shall give to such officers a certificate thereof; and all and every such maker or makers of starch respectively, are hereby required to keep sufficient and just scales and weights at the place or places where he, she, or they do make such starch, and permit and assist the officer to make use thereof, for the purposes aforesaid, under the penalty of ten pounds to be forfeited and lost for not keeping such scales and weights, or for not permitting and assisting the officer to use the same, as aforesaid.

Officer missing
any flour, &c.
may charge
the maker
with 25 lb. of
starch for every
bushel
missing.

XVII. And the better to prevent any frauds and concealments, it is hereby likewise enacted and declared by the authority aforesaid, That all and every the officers for the said duties upon starch, shall also be permitted to take an account by gauging, weighing, or otherwise, of the quantities of flour, meal, and other materials proper to be made into starch, that shall be in the custody or possession of any maker of starch, during the continuance of the said duties on starch hereby granted; and in case such officer or officers shall miss any quantity or quantities of such flour, meal, or other materials aforesaid, which he had taken an account of at the last time he was at such makers of starch, and shall not, upon reasonable demand, receive satisfaction what is become of such flour, meal, and other materials so missing, then, and in every such case, it shall and may be lawful for every such officer to charge such maker of starch with such quantity of starch as such flour, meal, and other materials so missing, in his judgment, would reasonably have made, not exceeding twenty five pounds weight of starch for every bushel of such ingredients mixed or unmixed, and so in proportion for a greater or lesser quantity.

Obstructing
officers, for-
feits 20 l.

XVIII. And be it enacted, That if any maker or makers of starch shall obstruct or hinder any of the said officers in the execution of the powers and authorities given to him or them by this act, for the ascertaining and securing the said duties upon starch, the person or persons offending therein, shall, for every such offence, forfeit and lose the sum of twenty pounds.

Starch-mak-
ers not to re-
move starch,
of which no
account hath
been taken,
on pain of
20 l.

XIX. And it is hereby further enacted, That no maker or makers of starch, after the said first day of *August*, one thousand seven hundred and twelve, during the continuance of the said duties on starch, shall (under pain of forfeiting the sum of twenty pounds for every offence) remove, carry, or send away, or suffer to be removed, carried, or sent away, any starch by him, her, or them made, of which no account shall have been first taken.

taken by the proper officer for the said duties, from the place where the same starch shall have been made, without giving to the proper officer or officers within the limits of the said weekly bills of mortality, twenty four hours notice at the least, and to the proper officer or officers in other parts of *Great Britain*, two days notice at the least, of his, her, or their intentions to remove, carry, or send away the same; that so the said officer (without his own wilful neglect or default) may have time to weigh, or otherwise take an account thereof.

XX. And for the better ascertaining the said duties upon starch; be it further enacted by the authority aforesaid, That all makers of starch shall, from time to time, keep all the starch by them to be made, and which shall not have been surveyed and taken an account of by the said officers for the said duties on starch, separate and apart from all other their starch which shall have been surveyed and taken an account of by such officers, for the space of twenty four hours after the making thereof within the limits of the weekly bills of mortality, or for the space of two days after the making such starch in any other part of *Great Britain*, unless such starch shall have been sooner surveyed and taken an account of by the said officers respectively, on pain to forfeit for every such offence therein the sum of five pounds.

XXI. And be it further enacted, That if any the said makers of starch shall fraudulently hide or conceal, or cause to be hid or concealed, any starch chargeable by this act, or any the materials for making the same, to the intent to deceive her Majesty of the just duties by this act granted, that then, and in every such case, the party so offending shall forfeit the sum of twenty pounds for every such offence.

XXII. And be it further enacted by the authority aforesaid, That all flour and meal, and other materials for making starch, which shall be found in any private work-house, ware-house, or other place, and all private utensils and vessels for making or keeping starch, for which no entry shall be made, or notice given, as aforesaid, shall be forfeited and lost, and the same, or the value thereof, shall and may be seized and recovered by the said officer or officers for the said duties on starch, for her Majesty's use.

XXIII. And it is hereby further enacted by the authority aforesaid, That all the starch, and all the materials, and utensils for the making of starch, in the custody of any maker or makers of starch, or of any person or persons to the use of, or in trust for such maker or makers of starch, shall be liable and subject to, and are hereby made chargeable with all the debts and duties for starch in arrear and owing by such maker or makers for any starch made by him, her, or them, or in his or their working-houses or places aforesaid, and shall also be subject to all penalties and forfeitures incurred by such person or persons so using such work-house, or other place, for any offence against this act relating to the said duties upon starch; and that it shall and may be lawful, in all such cases, to levy debts and penalties, and

and use such proceedings as may lawfully be done by this act, in relation to starch, in case the debtor or offender were the true and lawful owner of the same.

Stock in hand
on 1 Aug. 1712.
to pay.

XXIV. And be it further enacted by the authority aforesaid, That for all starch which any starch-makers, or other sellers and dealers in starch in *Great Britain*, or any person or persons in trust for him, her, or them, or for his, her, or their use, shall be possessed of, and interested in, upon the said first day of *August*, one thousand seven hundred and twelve, for sale, there shall be yielded and paid to her Majesty the like respective rates as are by this act to be paid for the like sorts of starch respectively to be made or imported after the said first day of *August*, one thousand seven hundred and twelve; and that all and every the said starch-makers, and other sellers and dealers in starch, and all and every other person and persons, who, in trust for them, or any of them, or for the use of them, or any of them, shall be possessed of, or have in his, her, or their custody or possession, or in his, her, or their work-house, ware-house, store-house, shop, room, or other place or places whatsoever, upon the said first day of *August*, one thousand seven hundred and twelve, any stock, parcel, or quantity of starch, of foreign or *British* manufacture, for sale, shall, on or before the said first day of *August*, one thousand seven hundred and twelve, make a true and particular entry thereof, at the office for the said duties on starch, within the limits of which they shall respectively inhabit, upon pain to forfeit the sum of fifty pounds, and the starch for which no such entry shall have been made; and within six days after he, she, or they shall have made, or ought to have made such entries; as aforesaid, shall pay down the duties hereby payable for such starch, or within the said six days, shall give security to the proper officers for paying the same duties to her Majesty's use, within three months then next ensuing; and in case the said duties for such stock of starch be paid down within the said six days, then there shall be allowed out of the same duty for such prompt payment, an allowance after the rate of ten pounds *per centum per annum*, for the said time of three months, and that all and every such starch-makers, and other sellers and dealers in starch, who shall refuse or neglect to make such payment, or to give such security for payment of the said duties, upon his, her, or their said stock of starch, within the time by this act limited for that purpose, shall forfeit double the sum of the said duty which should have been so paid or secured by him, her, or them, as aforesaid; and that it shall and may be lawful to and for the proper officers for the same duties respectively, to take a true and particular account of all such stock or quantities of starch as any starch-makers or other sellers and dealers in starch, or any in trust for them, shall, on the said first day of *August*, one thousand seven hundred and twelve, have or be possessed of; and for that purpose shall be permitted in the day-time to enter into any shop, ware-house, work-house, or any dwelling-house, out-house, or other places belonging to such

Starch-mak-
ers to enter
stock in hand
at the proper
office, on for-
feiture of 50 l.
and the starch
not entred,

and the duty
to be paid or
secured in 6
days.

10 l. per cent.
payment.
Neglecting to
pay, forfeits
double.

Officers may
enter shops,
&c. to view
stock, on pain
of 20 l.

such starch-makers, and sellers and dealers in starch, and every of them, who are hereby required to permit such officer and officers, upon his or their request, to make such entrance on the said first day of *August*, one thousand seven hundred and twelve, or afterwards, at any time before the duty last mentioned shall be paid or secured, and to take an account of the quantity of such starch, under the penalty of twenty pounds; and if any person or persons, having on the said first day of *August*, one thousand seven hundred and twelve, in his, her, or their custody or possession, any stock or quantity of starch, chargeable by this act with the said duties for any stock of starch, as aforesaid, shall clandestinely remove or carry away, or cause or suffer to be removed or carried away the same, or any part thereof, before her Majesty's duties thereupon shall be paid or secured, as aforesaid, or shall fraudulently conceal or hide any part of his, her, or their said stock of starch, that then, and in every such case, he, she, or they so offending, for every such offence, shall forfeit the sum of twenty pounds; and in all and every such case and cases the stock or quantity of starch which shall be so clandestinely removed or carried away, or fraudulently concealed or hid, shall be forfeited, and shall and may be seized by any the said officers for the said duties on starch; and the person or persons, in whose custody such stock of starch shall be found, who shall not, before the discovery thereof, give notice at the next office for the said duties on starch, of the stock or quantity of starch so in his, her, or their custody, shall also forfeit and lose the sum of twenty shillings for every pound weight.

Clandestinely removing stock, &c. forfeits 20l. &c.

XXV. Provided always, and be it further enacted by the authority aforesaid, That it shall and may be lawful to and for any person or persons, who shall have actually paid her Majesty's duties by this act payable for any quantities of starch whatsoever, and to and for any other person or persons, who shall buy, or be lawfully entitled to any such quantity of starch from the said person or persons who actually paid her Majesty's duties for the same, to export such starch for any foreign parts, by way of merchandize, giving sufficient security before the shipping thereof for exportation, that the particular quantities of starch, which shall be intended to be exported, as aforesaid, and every part thereof, shall be shipped and exported, and that the same, or any part thereof, shall not be reloaded or brought again into any part or parts of *Great Britain*; which security the customer or collector of the respective port for such exportation, is hereby directed and authorized to take, in her Majesty's name, and to her use.

Starch that hath paid the duty, may be exported, on security, &c.

XXVI. Provided always, That if after the shipping any such starch to be exported, as aforesaid, and the giving or tending such security, as aforesaid, in order to obtain the allowance or drawback herein after-mentioned, the starch so shipped to be exported, or any part thereof, shall be reloaded in any part of *Great Britain*, that then and in every such case (over and above the penalty of the bond, which shall be levied and recovered to

Such starch reloaded, forfeited.

her Majesty's use) all the starch which shall be landed, or the value thereof, shall be forfeited.

On oath that the duty hath been paid, and on debenture from the customer, &c. Collector to repay the duties.

XXVII. And it is also hereby enacted, That any person or persons, who shall export any starch to any foreign parts, shall or may make proof upon oath, or by such affirmation respectively, as aforesaid, That the duty of such starch hath been paid or secured, according to this act (which oath or affirmation the customer or collector of the port of exportation is hereby empowered to administer) and thereupon the said customer or collector of the said port of exportation, shall give to the exporter thereof a debenture, expressing the true kinds and quantities of the starch so exported, and the exportation thereof being certified by the searcher upon the said debenture, the collector appointed to receive the said duties upon starch in such county or place where the said starch was exported (upon producing the said debenture so certified to him) shall forthwith pay the duties which shall have been received upon this act, for the starch so exported, to the persons or agents so exporting the same; and if such collector shall not have money in his hands to pay any such debenture, then the respective commissioners for the said duties of starch are hereby required to pay, or cause to be paid, the said debenture out of any duties upon starch arising by this act; or if the duty of such starch so exported, were only secured and shall remain unpaid, then the same shall be discharged upon the securities for the same; any thing in this act contained to the contrary notwithstanding.

All the powers in 12 Car. 2. c. 24. and other excise acts, to be in force for managing these duties on starch.

XXVIII. And be it further enacted by the authority aforesaid, That all and every the powers, authorities, directions, rules, methods, penalties, forfeitures, clauses, matters, and things, which in and by an act made in the twelfth year of the reign of King Charles the Second, intituled, *An act for taking away the court of wards and liveries, and tenures in Capite, and by knights service, and purveyance, and for settling a revenue upon his Majesty in lieu thereof*; or by any other law now in force, relating to her Majesty's revenue of excise upon beer, ale, or other liquors, are provided; settled, or established, for managing, raising, levying, collecting, mitigating, or recovering, adjudging, or ascertaining the duties thereby granted, or any of them (other than in such cases for which other penalties or provisions are made and prescribed by this act) shall be exercised, practised, applied, used, and put in execution, in and for the managing, raising, levying, collecting, mitigating, recovering, and paying the said duties upon starch hereby granted, during the continuance of this act, as fully and effectually, to all intents and purposes, as if all and every the said powers, authorities, rules, directions, methods, penalties, forfeitures, clauses, matters, and things, were particularly repeated, and again enacted in the body of this present act.

All fines to be sued for as by the laws of excise.

XXIX. And be it further enacted by the authority aforesaid, That all fines, penalties, and forfeitures, in relation to the said duties by this act imposed upon starch, shall be sued for, levied, and

and recovered, or mitigated, by such ways, means, and methods, as any fine, penalty or forfeiture is or may be recovered or mitigated, by any law or laws of excise, or by action of debt, bill, plaint, or information, in any of her Majesty's courts of record at *Westminster*, or in the court of session, court of Justiciary, or court of Exchequer in *Scotland* respectively; and that one moiety of every such fine, penalty, or forfeiture (not otherwise directed by this act) shall be to her Majesty, her heirs and successors, and the other moiety, besides full costs of suit, to him or them that shall discover, inform, or sue for the same.

Moiety to the crown, moiety to the informer.

XXX. Provided always, and it is hereby enacted by the authority aforesaid, That such persons as shall be, in pursuance of this act, appointed commissioners for the duties on starch to be made in *England*, *Wales*, or *Berwick upon Tweed*, shall and may have and exercise the same, or like jurisdiction, power, and authority, and may adjudge, determine, mitigate or order, in all cases and matters relating to the said duties on starch arising within the limits aforesaid, as the commissioners of excise upon beer, ale, and other liquors, may or lawfully can exercise, adjudge, determine, mitigate, or order in the like cases or matters, in relation to the said duties of excise, by any law or statute now in force.

Commissioners for these duties to have the same jurisdiction as commissioners of excise.

XXXI. And be it further enacted by the authority aforesaid, That from and after the said first day of *August*, one thousand seven hundred and twelve, no perfumer, barber, or sellers of hair powder, shall mix any powder of alabaster, plaister of paris, whiting, lime, or other matter or thing of the like nature (sweet scents only excepted) with any starch or powder of starch, to be made use of for the making of hair powder, under pain of forfeiting all the hair powder so made, and the sum of fifty pounds for every such offence, the one moiety thereof to her Majesty, her heirs and successors, and the other moiety besides full costs of suit) to the seizer or informer, to be recovered as any other penalties concerning the duties on starch are by this act recoverable; and if any perfumer, barber, maker or seller of powder shall, after the said first day of *August*, one thousand seven hundred and twelve, presume to expose or offer to sale, or sell, vend, or utter any hair powder, which shall be mixed or wrought up with any such powder of alabaster, plaister of paris, whiting, lime, or other matter or thing of like nature (sweet scents only excepted) that then, and in such case, all and every such perfumer, barber, maker or seller of powder, and such other person or persons, shall not only lose and forfeit all such powder so exposed or offered to sale, as aforesaid, but also the sum of twenty pounds for every such offence, to be recovered and divided in like manner.

No perfumer, barber, &c. to mix alabaster, &c. with any powder, on forfeiture of the powder, and 50 l.

Exposing such mixture to sale forfeits the powder, and 20 l.

XXXII. And be it also enacted by the authority aforesaid, That there shall be raised, levied, answered, and paid, unto and for the use of her Majesty, her heirs and successors, for and upon all coffee, tea, and drugs of what kind soever (dying drugs excepted) imported from any foreign parts, and turpentine imported from

New duties on coffee, tea, and drugs (except dying drugs and turpentine of the British planta-

tions) for 32
years from 16
June, 1712.
Made perpetual
by 3 Geo. 1.
c. 7. s. 1.

the *British* plantations, excepted) which at any time or times within or during the term of thirty two years, to be reckoned from the sixteenth day of *June*, one thousand seven hundred and twelve, shall be imported or brought into the kingdom of *Great Britain*, (over and above all other customs, subsidies, and duties imposed upon or payable for the same, or any of them) the several new rates, duties, and sums of money following; that is to say, for all coffee imported, as aforesaid, twelve pence for every pound weight *averdupois*; and proportionally for greater or lesser quantities: for all kinds of tea imported from any place or places within the limits of the charter granted to the *East India* company, two shillings for every such pound weight; and for all kinds of tea imported from any other place or places, five shillings for every such pound weight, and proportionally for greater or lesser quantities of tea: and for all kinds of drugs imported (except as aforesaid) within or during the term last-mentioned, a duty after the rate of twenty pounds for every one hundred pounds of the true and real value of the same: which said duties upon coffee, tea, and drugs, chargeable by this act, as aforesaid, shall be paid by the respective importers thereof from time to time.

By 10 Geo. 1.
c. 10. & 18.
Geo. 2. c. 26.
these duties
are repealed,
and new ones
imposed.
By 11 Geo. 1.
c. 7. s. 9.
this duty of
20l. per cent.
on drugs is de-
termined.

Values of
drugs how to
be ascertained.

12 Car. 2. c. 4.

XXXIII. And it is hereby declared and enacted, That the values of such of the said drugs chargeable by this act, as had any particular valuation set thereupon in the book of rates, annexed to the act of tonnage and poundage, made in the twelfth year of the reign of King *Charles* the Second, shall be valued according to the gross valuations contained in the said book, for the payment of the said duty, after the rate of twenty *per centum* by this act charged thereupon, without any abatement in respect of the clause contained in the said book for drugs imported in *English* built shipping; and that all such unrated drugs as shall be brought from any places within the limits of the charter granted to the *East India* company, shall be valued by the price thereof upon sale at the candle, for the payment of the duty by this act granted, in the same manner, and with such allowances, as are prescribed by the laws now in force for payment of the other duties upon unrated goods brought from places within those limits; and that the values of all other the drugs chargeable by this act, shall, in all cases, be taken to be so much as such imported kinds are really worth to be sold at the port of importation, without any abatement for the duties thereupon charged by this or any former acts; and that the respective customer, collector, or other person or persons, officer or officers of the customs for the time being, shall receive and levy the same duties of the said drugs so payable *ad Valorem*, upon the oath of the merchant or importer accordingly; and such oath shall and may be administered, and all other matters done for ascertaining the said duties of such drugs as are last-mentioned, in the same manner and form as are lawfully used and practised for ascertaining any duties payable *ad Valorem* by the oath of the importer upon any other commodities imported.

XXXIV And.

XXXIV. And for the better securing the duties upon coffee imported from any foreign parts, and all such tea as shall be imported from any places within the limits of the charter granted to the *East India* company by this and other acts of parliament imposed; and to the intent the same may not be too burdensome on the importers of such coffee and tea, as shall again be exported to parts beyond the seas; it is hereby provided and further enacted by the authority aforesaid, That from and after the sixteenth day of *June*, one thousand seven hundred and twelve, during the continuance of the said duties on coffee and tea hereby granted, all such coffee as shall be imported into the kingdom of *Great Britain* from any foreign parts, and all such tea as shall be imported from any places within the limits of the said charter granted to the *East India* company, shall, upon entry thereof, be forthwith carried and put into such warehouse or warehouses as shall for that purpose be provided, by and at the charge of the importers of such coffee and tea, and be approved of by the commissioners of her Majesty's customs for the time being, and so much of the duties of the same coffee and tea as (in case of exportation) would remain, and not be drawn back by any former laws now in force, shall be paid down in ready money by the importer or importers thereof, who shall have power to garble such coffee, as hath been usual, to make it merchantable; which said coffee and tea so brought into such warehouse or warehouses shall not be taken or carried out thence upon any account whatsoever, other than as is herein after mentioned, that is to say, such of the said coffee and tea as shall be sold to be consumed in *Great Britain*, shall be delivered out of such warehouse or warehouses, upon payment of her Majesty's duties payable by this or any other act or acts for the same coffee and tea (other than and except so much as was before paid down, as aforesaid) and such of the said coffee and tea as shall be for exportation to parts beyond the seas, shall be delivered out of such warehouse or warehouses unto the importers, or such buyers, or other person or persons as such importers shall appoint in that behalf, upon sufficient security to be first given to her Majesty, her heirs and successors (which security the said commissioners of the customs, or such officers of the customs as they shall appoint, are hereby required and impowered to take) that the same, and every part thereof, shall be exported, and not re-landed in *Great Britain*; which said securities shall be discharged without fee or reward, upon certificate returned or produced to the commissioners of the customs, or such officers, as aforesaid, under the common seal of the chief magistrate in any place or places in parts beyond the seas, or under the hands and seals of two known *British* merchants then being at such place or places, that such coffee or tea was there landed, or upon proof by credible persons, that such coffee or tea was taken by enemies, or perished in the seas; the examination and proof thereof being left to the judgment of the said commissioners of the customs for the time being.

Coffee and tea imported after 16 June, 1712. to be warehoused,

and so much of the duty as would not be drawn back on exportation to be paid down,

and if to be consumed in *Great Britain*, the remaining duty to be paid on delivery out:

If to be exported, security to be given, &c.

Further provision made for coffee and tea exported to Ireland by Geo. 1. c. 11. §. 5.

What shall be deemed clandestine importation of coffee and tea.

XXXV. And for preventing all clandestine importing or bringing of coffee or such tea, as aforesaid, into this Kingdom of *Great Britain*; be it further enacted, That if any person or persons, bodies politick or corporate, from and after the said sixteenth day of *June*, one thousand seven hundred and twelve, during the continuance of the said duties upon coffee and tea, shall import or bring any coffee, or such tea as is to be secured in such warehouses, as aforesaid, into *Great Britain*, and shall not make due entries thereof, and bring the same into the said warehouse or warehouses, as aforesaid, the same shall be and is hereby adjudged to be clandestine running, and unlawful importation thereof; and such person and persons, or bodies politick or corporate, offending therein, and their abettors, shall forfeit all the coffee and tea so clandestinely run, and the sum of five hundred pounds, to be recovered and divided; one moiety thereof to the Queen, and the other moiety, together with full costs of suit, to the person or persons that shall seize, inform, or sue for the same in any of her Majesty's courts aforesaid.

What shall be deemed clandestine carrying out of coffee and tea.

XXXVI. And for preventing the clandestine carrying any the said coffee or tea out of the said warehouses; be it enacted, That the keeper or keepers of the said warehouse and warehouses (who shall be appointed by the commissioners of the customs, and be at the charge of the importers) shall keep one or more book or books, wherein he or they shall fairly enter or write down an exact particular and true account of all coffee and tea which shall be brought into, and carried out of his or their said warehouse and warehouses, and the days and times when the same was so brought in and carried out, and how much thereof was delivered out to be consumed and spent in *Great Britain*, and how much for exportation, as aforesaid, and shall at the end of every six months transmit in writing an exact account thereof, upon oath, to the commissioners of the customs for the time being, together with an exact account of how much shall be remaining in his or their said warehouse or warehouses respectively; and the said commissioners are hereby impowered and enjoined, within one month after the same shall be transmitted to them, as aforesaid, to appoint one or more person or persons to inspect the said book or books, warehouse or warehouses, and to examine the same accounts; and if upon examination it shall appear that any of the said coffee or tea was delivered out otherwise than as aforesaid, or before payment of her Majesty's duties for such of the said coffee or tea as shall be sold to be consumed in *Great Britain*, or giving such security, as aforesaid, for such of the said coffee or tea as shall be delivered out for exportation, as aforesaid, then the warehouse-keeper or warehouse-keepers offending therein, shall not only be disabled to hold or enjoy any publick employment, but also shall forfeit the sum of one hundred pounds for every such offence, to be recovered and divided, to wit, one moiety thereof to the Queen's majesty, and the other moiety thereof, with full costs of suit, to the person

or persons who shall seize, sue, or inform for the same in any the courts aforesaid.

XXXVII. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the proprietor or proprietors of the coffee and tea, so lodged in any warehouse or warehouses, to affix one lock to every such warehouse, the key of which shall remain in the custody of such proprietor or proprietors; and that he or they may in the presence of the said warehouse-keeper or warehouse-keepers (who is and are hereby obliged to attend at all reasonable times for that purpose) view, sort, and receive out the said coffee and tea, or any part thereof, in manner following, that is to say, such of the said coffee or tea as shall be sold to be consumed in *Great Britain*, upon paying the remainder of all the duties imposed thereon, as aforesaid, and such of the said coffee or tea as shall be sold for exportation, upon giving such security as is before in that behalf expressed.

Proprietors may affix locks on warehouses, &c.

XXXVIII. Provided always, and it is hereby enacted, That from and after the said sixteenth day of *June*, one thousand seven hundred and twelve, all the duties and impositions (so much as is to be paid down in ready money, as aforesaid, excepted) for the said coffee or tea delivered out of the said warehouses to be consumed in *Great-Britain*, shall be paid upon such delivery out of the warehouse, and not otherwise; and that from and after the said sixteenth day of *June*, one thousand seven hundred and twelve, all duties imposed upon such of the said coffee or tea as shall be delivered for exportation, and exported accordingly (except so much as was paid down in ready money, as aforesaid) shall be discharged; and from thenceforth no drawback or allowance shall be paid or made out of her Majesty's customs for or on account of the exportation of any such coffee or tea; any thing herein, or in any former act or acts of parliament, to the contrary notwithstanding.

All the duties to be paid on its delivery out for consumption here.

On exportation the duties to be discharged, except, &c.

XXXIX. Provided always, That if any importers of coffee or tea shall pay down all her Majesty's duties for the same, upon the importation, and before the landing thereof, then such importers shall not be obliged to secure the same in a warehouse or warehouses, as aforesaid.

Importers on paying down all the duties, not obliged to warehouse their coffee, &c.

XL. And be it enacted by the authority aforesaid, That the said duties hereby granted upon imported tea and drugs (except such tea as shall be imported from any places within the limits of the charter granted to the *East India* company) chargeable by this act, shall be raised, levied, recovered, answered, and paid (to and for the uses and purposes in this act expressed) by such rules, ways, means, and methods, and under such penalties and forfeitures, and subject to such allowances, as the other duties upon the same goods respectively are by any law or statute now in force, to be ascertained, secured, raised, levied, recovered, and answered, during the continuance thereof respectively.

Duties on imported tea and drugs how to be levied.

New duties on tea and drugs to be repaid on exportation.

These 18 and 19 months enlarged to 3 years by 7 Geo. 1. stat. c. 21. s. 10. Farther provisions made on exportation of drugs to Ireland by 5 Geo. 1. c. 31. s. 5.

Importers of coffee and tea to pay for stock in hand on 16 June, 1712.

Importers of coffee, &c. to enter their stock in hand at the next custom-house,

and to permit the proper officers to enter their warehouses, &c. to take

XLI. Provided always, and be it further enacted and declared, That in case any of the said tea and drugs hereby charged, (and except as before excepted) upon which the said new duties by this act granted, shall, upon the importation thereof, be duly paid or secured to be paid, be again exported at any time or times within eighteen months by *British* merchants, or within nine months by aliens, to be accounted from the respective times of the importation of the said goods inwards, and that proof be first made upon oath, That the said tea or drugs, except as before excepted, so exported, be the same for which the said duties are paid, or secured to be paid, as aforesaid, That then and in every such case, and not otherwise, the same duties so paid shall, without any delay or reward, be wholly repaid out of any the duties upon tea and drugs by this act granted, or the security for such of the said duties as shall be secured shall be vacated (on a debenture or debentures regularly certified and sworn to) as to so much of the said tea and drugs as shall be so exported; any thing in this act contained to the contrary notwithstanding.

XLII. And whereas several companies, and divers merchants importers, have or may have, on the sixteenth day of June, one thousand seven hundred and twelve, several stocks or quantities of coffee and tea; it is hereby further enacted, That all and every such companies and merchants importers, having on the sixteenth day of June, one thousand seven hundred and twelve, in his, her, or their custody or possession, or in the custody or possession of any other person or persons in trust for them, or any of them, or for their, or any of their benefit or account, any stock or quantity of coffee or tea, or either of them, within the realm of *Great Britain*, being for sale, shall yield and pay unto her Majesty the like respective duties for the same, as are by this act granted and to be paid for and upon the like goods respectively, to be imported after the said sixteenth day of June, one thousand seven hundred and twelve; the said duties for such stocks to be answered and paid to her Majesty's use, within six months after the said sixteenth day of June, one thousand seven hundred and twelve.

XLIII. And to the end the said stocks of coffee and tea, hereby intended to be charged may be known, and the duties thereupon duly ascertained and secured; it is hereby enacted, That all and every the said companies and merchants importers of coffee and tea, shall, on or before the sixteenth day of June, one thousand seven hundred and twelve, make a just entry thereof at the custom-house nearest the place where the said stocks of such goods do remain, as aforesaid, and permit the proper officers of the customs thereunto to be appointed, at any time before the sixteenth day of June, one thousand seven hundred and twelve, to enter into their and every of their warehouses or places where such stocks are to be found, and to view, weigh, and take account of the same; and if any such company or such merchants importers shall neglect to make such

such entry at the custom-house within the time aforesaid, or shall refuse to permit such officer to enter into their or any of their ware-houses or other places (being thereunto required) there to view the said stock, or any part thereof, or shall hide, remove, or convey away the said stock, or any part thereof, with intent to defraud her Majesty, or shall not pay her Majesty's duties for the same, according to the true meaning of this act, then, for every or any such offence, the company, or such merchant importer respectively so offending, shall forfeit and lose his, her, or their said stocks of coffee and tea, or the value thereof; one half to her Majesty, and the other half thereof to the use of the seizer or informer, to be recovered in any of her Majesty's courts aforesaid.

XLIV. Provided always, That if any such companies or persons so chargeable for any stocks of coffee or tea, shall pay her Majesty's duties for the same, before the end of the said six months, then they respectively shall be allowed for such prompt payment after the rate of ten pounds *per centum per annum*, for every sum so advanced; and in case of exportation thereof, or any part thereof, within eighteen months after entry made, as aforesaid, the said duties payable by this act for such part of the same stocks as shall be so exported, shall be discharged or repaid.

XLV. And whereas, upon the garbling and cleaning of pepper, great quantities of stones, dirt, and trash have been found, and now remaining in the warehouses appointed by the commissioners of the customs for the receiving of pepper, by virtue of the act of the ninth of the Queen, and more of the same may probably be found among the pepper, to be imported, and the same being of no use, either to the importers or buyers; be it enacted by the authority aforesaid, That the commissioners of her Majesty's customs for the time being, shall have hereby, at the request of the importers or buyers, power to cause such stones, dirt, or other trash, to be destroyed, from time to time, in such manner as they shall think fit, so as no prejudice doth or shall arise to the revenue thereby; and the said commissioners shall have the like power, with respect to any stones, dirt, or trash that may be found amongst coffee to be lodged in ware-houses, in pursuance of this act; and the respective ware-house keepers shall be discharged in their respective books, of so much pepper or coffee as shall be so destroyed, as aforesaid.

XLVI. And moreover be it enacted by the authority aforesaid, That there shall be raised, levied, answered, and paid, unto and for the use of her Majesty, her heirs and successors, for and upon all gilt and silver wire, which at any time or times within or during the term of thirty two years, to be reckoned from the first day of July, one thousand seven hundred and twelve, shall be imported or brought into the kingdom of Great Britain (over and above all customs, subsidies, and duties already imposed thereupon) the duties following; that is to say, For all gilt wire imported, as aforesaid, a duty after the rate

account of the same, &c.

on forfeiture thereof, or value.

10l. per cent. for prompt payment.

Stones, dirt, &c. found among pepper or coffee, to be destroyed.

Duties on gilt and silver wire imported or made in Great Britain for 32 years from 1 July, 1712. Made perpetual by 3 Geo. 1. c. 7. s. 1.

rate of one shilling for every ounce *Troy*; and for all silver wire imported, as aforesaid, nine pence for every such ounce, and proportionally for greater or lesser quantities, to be paid down in ready money by the importer thereof, from time to time, before the landing of the same; and for and upon all gilt and silver wire, which at any time or times, within or during the same term, shall be made in *Great Britain*, the duties following; that is to say, For all gilt wire so made in *Great Britain*, a duty after the rate of eight pence for every ounce *Troy*; and for all silver wire so made in *Great Britain*, a duty after the rate of six pence for every ounce *Troy*, and proportionably for greater or lesser quantities, to be paid by the makers thereof respectively.

Duties on im-
ported wire
to be raised as
the duties on
sops and
starch.

10 Ann. c. 19.

XLVII. And be it enacted by the authority aforesaid, That the said duties upon gilt and silver wire imported, shall be raised, levied, recovered, and paid, and be brought into the said Exchequer (to and for the uses and purposes in the said act expressed) by such rules, ways, means, and methods, and under such penalties and forfeitures, and with such allowances, and in such manner and form, as the duties upon imported sops, granted by one other act of this session of parliament, and the duties on starch, granted by this act, or any of them, are prescribed and appointed to be raised, levied, recovered, answered, and paid.

Her Majesty
or treasury to
appoint com-
missioners,

XLVIII. And for the better ascertaining, charging, and securing the duties by this act set and imposed upon gilt and silver wire made in *Great Britain*; be it further enacted by the authority aforesaid, That such commissioners or persons, as her Majesty, her heirs or successors, or the high treasurer of *Great Britain* now being, or the high treasurer of *Great Britain*, or any three or more of the commissioners of the treasury for the time being, shall, from time to time, by one or more commission or commissions for that purpose, appoint, shall be her Majesty's commissioners for the receipt and management of the said duties set and imposed upon all the gilt and silver wire made within *Great Britain*, chargeable by this act; which said commissioners, or the major part of them respectively shall and have hereby power, by commissions under their respective hands and seals, to substitute and appoint under them such officers as shall be requisite in that behalf; and that the same commissioners and officers for the said duties on wire shall have out of those duties such salaries and rewards for their services therein, as the high treasurer, or any three or more of the commissioners of the treasury for the time being, shall think reasonable to establish or allow in that behalf; and that the respective commissioners for the said duties on wire to be made in *Great Britain*, for the time being, shall, from time to time, cause all the money to arise for the said duties on gilt and silver wire to be made in *Great Britain* (the necessary charges of management excepted) to be paid, as the same shall arise, into the receipt of her Majesty's Exchequer in *England*, under the penalties, forfeitures, and disabilities herein after expressed.

who are to
substitute in-
ferior officers.

The monie to
be paid into
the Exche-
quer.

XLIX. And

XLIX. And it is hereby enacted, That all and every person and persons who at any time or times within or during the term last-mentioned, shall draw or cause to be drawn, any gold or silver into big wire in *Great Britain*, shall give notice in writing at the next office for the said duties on wire, of their respective names and places of abode, and of the houses or places by them respectively made use of, for the drawing or making of such wire therein, upon pain to forfeit the sum of twenty pounds for every offence in drawing or causing to be drawn any such wire, in any house or place, without having first notified the same, as aforesaid; and that no refiner, wire-drawer, or other person or persons, shall, during the continuance of the said duties on wire, draw or cause to be drawn any gold, or silver into such wire as is commonly called *big wire*, at any house or place other than some common bar-house, to be approved by the commissioners for the said duties on wire for that purpose, upon pain to forfeit the sum of twenty pounds for every offence therein.

Wire drawers to give notice at the next office of their names and work-houses, &c. on forfeiture of 20l.

and of their bar houses.

L. And it is hereby enacted, That from and after the said first day of *July*, one thousand seven hundred and twelve, during the continuance of the said duties upon wire hereby granted, all and every the refiners, wire-drawers, and other persons, who shall draw, or cause to be drawn, any gilt or silver wire, commonly called *big wire*, as aforesaid, shall once in every month make a true entry in writing at the next office for the said duties of all the gilt and silver wire by them severally made or drawn within such month respectively; which entries shall contain the weight and kinds of all the wire mentioned therein, and how much thereof respectively was made in each week, on pain to forfeit, for every neglect of entry, the sum of one hundred pounds; which entry shall be made upon the oath of the refiner, or other person for whom the said wire was drawn, or of the chief workman employed therein, or (if he or she be a quaker) then upon his or their solemn affirmation, to the best of their respective knowledge and belief; which entries, oaths, and affirmations shall and may be made with, and administered by such officer or officers as shall be appointed to take the same, without any fee or charge whatsoever.

Wire drawers, &c. to make entries, on oath, &c. at the next office monthly,

on forfeiture of 100l.

LI. And be it further enacted by the authority aforesaid, That every refiner, wire-drawer, and other person, who shall draw, or cause to be drawn, any gold or silver wire, as aforesaid, shall, from time to time, within six weeks after they respectively shall make, or ought to have made, such entry, as aforesaid, pay and clear off all the said duties for gilt and silver wire which shall be due from them respectively, upon pain of forfeiting double the sum of the said duty whereof the payment shall have been so refused or neglected.

Wire drawer, &c. to clear off the duties in 6 weeks, on forfeiture of double the duty.

LII. And it is hereby declared and enacted, That all and every the officers for the said duties on wire, shall at all times, by day or by night, and if in the night, then in the presence of a constable, or other lawful officer of the peace, be permitted, upon his

Officers may enter any bar-house, &c. at all times, to take account of the wire

his or their request, to enter the bar-house, work-house, or other place which shall be made use of by any person or persons for the drawing or making of gilt or silver wire, commonly called *big wire*, liable to the said duties, and to take an account of the just weight of the gilt and silver wire which shall have been so drawn or made from time to time; and shall thereof make return in writing to the commissioners of the said duties upon wire, or such as they shall appoint to receive the same, leaving a true copy thereof (if demanded) with the maker of the said wire, upon whom such return of the said officer shall be a charge; and if the said officer shall refuse to give or leave such copy (being demanded, as aforesaid) every such officer, for every such offence, shall forfeit the sum of forty shillings to every such refiner, wire-drawer, or other person, as aforesaid.

and make return thereof to the commissioners, leaving a copy thereof with the maker, on pain of 40s.

If charge be taken at the bar house, one fifth to be allowed.

Officers to be sworn.

Wire-drawers to keep weights and scales, on forfeiture of 10l.

Obstructing Officer forfeits 20l.

Wire-drawer not to remove wire without due notice, on pain of 40l.

LIII. Provided always, That if such charge be made by taking the weight of the gold and silver in such big wire at the bar-house, as aforesaid, then an allowance of one fifth part shall be made in consideration of the waste to be sustained in reducing the same to small wire.

LIV. Provided also, That every officer who shall be empowered to make such charge, as aforesaid, shall, in the first place, be sworn for the due and faithful execution of his office; which oath shall and may be administered by all or any the commissioners of the said duties upon wire, or by any justice of the peace, who shall give to such officer a certificate thereof: and all persons chargeable with the said duties upon wire, are hereby required to keep sufficient and just scales and weights at the place or places where he, she, or they do make such wire, and permit and assist the officer to make use thereof for the purposes aforesaid, under the penalty of ten pounds, to be forfeited and lost for not keeping such scales and weights, or for not permitting and assisting the officer to use the same, as aforesaid.

LV. And be it enacted, That if any maker of wire shall obstruct or hinder any of the said officers in the execution of any the powers given to him or them by this act, for ascertaining and securing the said duties upon gilt and silver wire, the person or persons offending therein shall, for every such offence, forfeit the sum of twenty pounds.

LVI. And it is hereby further enacted, That no refiner, wire-drawer, or person, who shall draw, or cause to be drawn, any gilt or silver wire, as aforesaid, after the said first day of July, one thousand seven hundred and twelve, during the continuance of the said duties upon wire, shall (under pain of forfeiting forty pounds for every offence) remove, carry, or send away, or suffer to be removed, carried, or sent away, any gilt or silver wire by or for him, her, or them made or drawn, of which no account shall have been first taken by the proper officer of the said duties, from the bar-house, or place where the same wire shall have been made or drawn, without giving to the proper officer four and twenty hours notice at the least of his, her, or their intention to remove, carry, or send away the same, that

so the said officer (without his own wilful default) may have time to weigh and take an account thereof.

LVII. And for the better ascertaining the said duties upon wire, it is hereby enacted, That all persons, by or for whom any wire shall be made or drawn, as aforesaid, shall, from time to time, keep all the wire so made, and which shall not have been surveyed and taken an account of, separate and apart from all the gilt and silver wire which shall have been surveyed and taken an account of, as aforesaid, for the space of four and twenty hours after the making or drawing the same, unless such wire shall have been sooner surveyed and taken an account of by the said proper officer, on pain to forfeit, for every offence therein, the sum of ten pounds.

Wire not surveyed to be kept separate, on pain of 10l.

LVIII. And it is hereby enacted, That if any the said persons by or for whom any such gilt or silver wire, commonly called big wire, shall be made or drawn, as aforesaid, shall fraudulently hide or conceal, or cause to be hid or concealed, any wire chargeable by this act, or any bars of silver prepared for making the same, with intent to defraud her Majesty, then, and in every such case, the offender shall forfeit the sum of twenty pounds for every such offence.

Wire concealed forfeits 20l.

LIX. And it is hereby further enacted by the authority aforesaid, That all gilt and silver wire, and all bars for making such wire, which shall be found in any private workhouse, and all private utensils for barring or drawing of such wire, of which no notice shall have been given as this act directs, shall be forfeited and sold, and the same, or the value thereof, shall and may be seized and recovered by any officer of the said duties upon wire, for her Majesty's use.

Wire, &c. found in private workhouse, &c. forfeited.

LX. And it is hereby further enacted by the authority aforesaid, That all such gilt and silver wire, and all the materials and utensils for the making of such wire, in the custody of any maker or makers of wire, or of any person or persons to the use of, or in trust for such maker or makers of wire, shall be liable and subject to, and are hereby made chargeable with all the debts and duties for gilt and silver wire in arrear, and owing by such maker or makers, for any wire made by him, her, or them, or in his or their workhouses or places aforesaid, and also be subject to all penalties and forfeitures incurred by such person or persons so using such workhouse or other place, for any offence against this act relating to the said duties upon wire; and that it shall and may be lawful in all such cases to levy debts and penalties, and use such proceedings, as may lawfully be done in case the debtor or offender were the true and lawful owner of the same.

Wire, materials, &c. chargeable with the duties in arrear, &c.

LXI. And be it further enacted by the authority aforesaid, That for all gilt and silver wire, commonly called big wire, which any wire-drawers, refiners, or other traders or dealers in any such wire, or any person or persons in trust for them or any of them, or for their or any of their use, shall be possessed of or interested in, upon the said first day of July, one thousand seven

Stock in hand on 1 July, 1712. to pay one half of the duty.

and to be entered at the proper office, on forfeiture of 50 l. and the wire not entred.

and the duty to be paid or secured in 6 days.

10 l. per cent. for prompt payment. Refusing to pay, forfeits double the duty.

Officers may enter shops, &c. to view stock.

Refusal to permit them forfeits 20 l.

seven hundred and twelve, for sale, there shall be yielded and paid to her Majesty one half of the like respective rates and duties as are by this act to be paid for the like sorts of gilt and silver wire respectively to be made or imported after the said first day of *July*, one thousand seven hundred and twelve; and that all and every the said refiners, wire-drawers, or other traders and dealers in gilt and silver wire, and all and every other person and persons, who, in trust for them or any of them, or for the use of them or any of them, shall be possessed of, or have in his or their custody or possession, or in his, her or their workhouse, warehouse, storehouse, shop, room, or other place or places whatsoever, upon the said first day of *July*, one thousand seven hundred and twelve, any stock, parcel, or quantity of such big wire for sale, shall, on or before the said first day of *July*, one thousand seven hundred and twelve, make a true and particular entry thereof at the office for the said duties on wire, within the limits of which they shall respectively inhabit, upon pain to forfeit the sum of fifty pounds, and the gilt and silver wire for which no such entry shall have been made; and within six days after he, she, or they shall have made such entries, as aforesaid, shall pay down the duties hereby payable for such gilt and silver wire, or within the said six days shall give security to the proper officers for paying the same duties to her Majesty's use within six months then next ensuing; and in case the said duties for such stock of gilt and silver wire be paid down within the said six days, then there shall be allowed out of the same duty for such prompt payment, an allowance after the rate of ten pounds *per centum per annum* for the said time of six months; and that all and every such wire-drawers, refiners, and other traders and dealers in such wire, as aforesaid, who shall refuse or neglect to make such payment, or to give such security for payment of the said duties for his, her, or their said stock of wire, within the time by this act limited for that purpose, shall forfeit double the sum of the said duty which should have been so paid or secured by him, her, or them, as aforesaid; and that it shall and may be lawful to and for the proper officers for the same duties respectively, to take a true and particular account of all such stock or quantities of big wire, as any wire-drawers, refiners, and other traders and dealers in such wire, or any in trust for them, shall on the said first day of *July*, one thousand seven hundred and twelve, have or be possessed of; and for that purpose shall be permitted in the day-time to enter into any shop, warehouse, workhouse, or any dwelling-house, out-house, or other places belonging to such persons, and every of them; who are hereby required to permit such officer and officers, upon his or their request, to make such entrance on the said first day of *July*, one thousand seven hundred and twelve, or afterwards, at any time before the duty last mentioned shall be paid or secured, and to take an account of the quantity of such big wire, under the penalty of twenty pounds; and if any person or persons having on the said first day of *July*, one thousand seven hundred

hundred and twelve, in his, her or their custody or possession, any stock or quantity of big wire chargeable by this act with the said half duties for stock, as aforesaid, shall clandestinely remove or carry away, or cause or suffer to be removed or carried away, the same or any part thereof, before her Majesty's duties thereupon shall be paid or secured, as aforesaid, or shall fraudulently conceal or hide any part of his, her, or their said stock of wire, that then and in every such case, he, she, or they so offending, for every such offence shall forfeit the sum of twenty pounds; and in all and every such case and cases, the stock or quantity of wire which shall be so clandestinely removed, or carried away, or fraudulently concealed or hid, shall be forfeited, and shall and may be seized by any the said officers for the said duties on wire; and the person or persons in whose custody such stock of wire shall be found, who shall not, before the discovery thereof, give notice at the next office for the said duties on wire, of the stock or quantity of wire so in his, her, or their custody or possession, shall also forfeit and lose the sum of twenty shillings for every pound weight.

Clandestinely removing stock, &c. forfeits 20 l. &c.

LXII. Provided always, and it is hereby enacted by the authority aforesaid, That in case any person or persons whatsoever shall, at any time or times after the first day of *July*, one thousand seven hundred and twelve, during the continuance of the said duties on gilt and silver wire, export, by way of merchandize, for any foreign parts, any gold or silver thread, or any gold or silver lace or fringe, made of plate wire spun upon silk, and shall give sufficient security before the shipping thereof for exportation, that the particular quantities of such thread, or of such lace or fringe, intended to be exported, as aforesaid, and every part thereof, shall not be reloaded or brought again into *Great Britain*, and shall make proof upon oath, or by such affirmation, as aforesaid, that the said gold and silver thread, or the said gold and silver lace, or fringe, was actually made after the said first day of *July*, one thousand seven hundred and twelve (which securities shall be taken in her Majesty's name, and to her use; and the said oaths and affirmations shall be administered by the customer or collector of the respective port for such exportation) that then and in every such case, the said customer or collector shall give to the exporter thereof a debenture, expressing the true kinds and quantities of such gold or silver thread, and gold and silver lace or fringe, so exported or shipped to be exported, and the exportation or shipping thereof being certified by the searcher upon the said debenture, the collector or receiver for the said duties upon wire (upon producing the said debentures so certified to him) shall forthwith pay a drawback or allowance, after the rate of five shillings for every pound weight *averdupois*, of such silver thread, lace, or fringe, and after the rate of six shillings and eight pence for every pound weight *averdupois*, of such gold lace, thread, or fringe, out of the monies of the said duties on wire then in the hands of such receiver or collector, without fee or reward; and if such receiver

On exportation of gold thread, &c. made after 1 July, and on debenture from the customer, &c. Collector to allow a drawback.

or collector shall not have money in his hands to pay any such debenture, then the respective commissioners of the said duties upon wire are hereby required to pay or cause to be paid the said debenture out of any the duties on gilt or silver wire arising by this act; any thing herein contained to the contrary notwithstanding.

All the powers in 12 Car. 2. c. 24. and other excise acts, to be in force, for managing these duties.

LXIII. And be it further enacted by the authority aforesaid, That all and every the powers, authorities, directions, rules, methods, penalties, and forfeitures, clauses, matters, and things; which in and by an act made in the twelfth year of the reign of King Charles the Second, intituled, *An act for taking away the court of wards and liveries, and tenures in Capite, and by knights service, and purveyance, and for settling a revenue upon his Majesty in lieu thereof*; or by any other law now in force relating to her Majesty's revenue of excise, upon beer, ale, or other liquors, are provided, settled, or established, for managing, raising, levying, collecting, mitigating, or recovering, adjudging, or ascertaining the duties thereby granted, or any of them (other than in such case for which other penalties or provisions are made and prescribed by this act) shall be exercised, practised, applied, used, and put in execution, in and for the managing, raising, levying, collecting, mitigating, recovering, and paying the said duties upon gilt and silver wire hereby granted, during the continuance of this act, as fully and effectually, to all intents and purposes, as if all and every the said powers, authorities, rules, directions, methods, penalties, forfeitures, clauses, matters, and things, were particularly repeated, and again enacted in the body of this present act.

All fines to be sued for as by the laws of excise.

LXIV. And be it further enacted by the authority aforesaid, That all fines, penalties, and forfeitures, in relation to the said duties by this act imposed upon gilt and silver wire, shall be sued for, levied, and recovered, or mitigated, by such ways, means, and methods, as any fine, penalty, or forfeiture is and may be recovered or mitigated by any law or laws of excise, or by any action of debt, bill, plaint, or information, in any her Majesty's courts before mentioned; and that one moiety of such fine, penalty, and forfeiture, relating to the said duties on wire (not otherwise directed by this act) shall be to her Majesty, her heirs and successors, and the other moiety, to him or them that shall discover, inform, or sue for the same.

Commissioners for these duties to have the same jurisdiction as commissioners of excise.

LXV. Provided always, and it is hereby enacted by the authority aforesaid, That such persons as shall be, in pursuance of this act, appointed commissioners for the duties on gilt and silver wire, to be made in *England, Wales, or Berwick upon Tweed*, shall and may have and exercise the same or like jurisdiction, power, and authority, and may adjudge, determine, mitigate or order, in all cases and matters relating to the said duties on gilt and silver wire arising within the limits aforesaid, as the commissioners of excise upon beer, ale, and other liquors, may or lawfully can exercise, adjudge, determine, mitigate, or order,

order, in the like cases or matters in relation to the said duties of excise, by any law or statute now in force.

LXVI. And be it further enacted by the authority aforesaid, That during the continuance of the said duties upon gilt and silver wire by this act granted, no gold or silver thread, lace, fringe, or other work made thereof, shall be imported or brought into Great Britain, upon pain of being forfeited, and upon the further penalty of one hundred pounds to be paid by the importer for every parcel so imported; and that one moiety of such forfeitures shall be to the Queen, her heirs and successors, and the other moiety (besides full costs of suit) to him or them that shall seize, inform, or sue for the same in any of her Majesty's courts aforesaid.

During this act no gold lace, &c. to be imported.

LXVII. And be it further enacted by the authority aforesaid, That there shall be raised, levied, collected and paid, to and for the use of her Majesty, her heirs and successors, for and upon every policy of assurance, which shall, at any time or times within or during the term of thirty two years, to be reckoned from the first day of August, in the year of our Lord one thousand seven hundred and twelve, be made or entered into within the cities of London or Westminster, or elsewhere within the limits of the weekly bills of mortality, the sum of two shillings and four pence, over and above all such duties as are already chargeable upon the same, by any act or acts of parliament formerly made in that behalf.

Policies of assurance to pay 2s. 4d. for 32 yrs. from 1 Aug. 1712. Made perpetual by 3 Geo. 1. c. 7. l. 1.

LXVIII. And be it declared and further enacted, That all deeds, instruments and writings, for the payment of any sum of money upon the loss of any ship or goods, or upon any loss by fire, or for any other purpose for which any writing, commonly called a policy of assurance or insurance, is or hath been usually made, shall be construed, deemed and adjudged to be policies of assurance within this act, and to be charged with the duty last mentioned.

Policies of assurance declared.

LXIX. And be it further enacted, That the same duty upon such policies, deeds, instruments, and writings, as aforesaid, shall be under the government of the commissioners for the time being, appointed to manage the duties charged on stamp vellum, parchment and paper, who, or the major part of them, are hereby required and empowered to employ the necessary officers under them for that purpose, and to cause one or more new stamp or stamps to be provided, to denote the same duty, and to do all other things necessary to be by them done for the putting this act in due execution, with relation to the same duty.

Commissioners of the stamp to manage these duties.

LXX. And for the better securing the same duty, be it further enacted, That all vellum, parchment, and paper, upon which any such policy shall be written or printed, shall, before any name of any person, or any particular day, time, or sum of money shall be written or printed therein, be brought to the head office for stamping and marking of vellum, parchment, and paper; and the same commissioners, by themselves or their officers,

The vellum, &c. to be stamped before the assurance be written thereon.

ficers, shall forthwith, upon demand, from time to time, stamp or mark, as this act directs, any quantities or parcels of such vellum, parchment, or paper, he or they paying the duty hereby payable for the same, without any fee or reward, and without delay; which stamp or mark to be put thereupon, in pursuance of this act, shall be a sufficient discharge for the same duty.

Penalty for writing the assurance before stamped, 5*l*.

LXXI. And be it further enacted by the authority aforesaid, That if any person or persons, 'who shall' from and after the first day of *August*, one thousand seven hundred and twelve, write or cause to be written, any name of any person, or any day, time, or sum of money, in or upon such policy of assurance, deed, instrument, or writing, as aforesaid, or sign, seal, execute, or subscribe the same, before the vellum, parchment, or paper, whereupon the same shall be printed or written, shall appear to have been so duly stamped or marked, that then every such person so offending shall, for every such offence, forfeit the sum of five pounds; the one moiety thereof to her Majesty, her heirs and successors, and the other moiety thereof, with full costs of suit, to such person or persons as shall inform and sue for the same in any of her Majesty's courts of record, by action of debt, bill, plaint, or information, wherein no essoin, privilege, protection, or wager of law shall be allowed; and that if any such policy of assurance shall, during the term last mentioned, be signed, sealed, executed, or subscribed, upon vellum, parchment, or paper, not appearing to have been duly stamped or marked, according to law, that then and in every such case, there shall be paid to her Majesty, her heirs and successors (over and above the duties hereby payable) for every such policy of assurance, the sum of five pounds; and that no such policy of assurance shall be available in law or equity, or be given in evidence, or admitted in any court, unless as well the said duty hereby charged, as the said sum of five pounds shall be first paid to the use of her Majesty, her heirs or successors, and a receipt produced for the same, under the hand of the receiver general for the time being of the stamp duties, or of his deputy or clerk, and until the vellum, parchment, or paper, on which such policy of assurance is so signed, sealed, executed, or subscribed, shall be marked or stamped according to the true meaning hereof; and the said receiver general and his deputy or clerk, are hereby enjoined and required, upon payment or tender of the said duty payable by virtue hereof, and of the said sum of five pounds, to give a receipt for such money, and the other proper officers are thereupon required to mark or stamp such policy of assurance with the proper mark or requisite in that behalf.

No such policy good, till 5*l*. be paid to the Queen, and the duty be also paid.

Counterfeiting stamps felony.

LXXII. And be it further enacted, That if any person or persons shall, at any time or times hereafter, counterfeit or forge any stamp or mark, to resemble any stamp or mark, which shall be provided, made, or used, in pursuance of this act, or shall counterfeit or resemble the impression of the same, upon any vellum,

vellum, parchment, or paper, thereby to defraud her Majesty, her heirs or successors, of the duty hereby granted and made payable for or in respect of such policy of assurance, or shall utter, vend or sell any vellum, parchment or paper with counterfeit mark or stamp thereupon, knowing such mark or stamp to be counterfeit; or if any person whatsoever shall privately and fraudulently use any stamp or mark, which shall be provided or used in pursuance of this act, so as thereby to defraud her Majesty, her heirs or successors, of the duty hereby granted for such policy of assurance, then every such person so offending, and being thereof convicted in due form of law, shall be judged a felon, and suffer death as in cases of felony, without benefit of clergy.

• LXXIII. And be it further enacted, That all other powers, authorities, penalties, forfeitures, directions, provisions, articles, matters and things, which are enacted, imposed, or contained in one other act made in this present session of parliament (wherein certain other duties are granted upon stamped vellum, parchment, and paper) with relation to the duties thereby granted and made payable, for and in respect of any surrender of or admittance to any copyhold lands or tenements within those parts of *Great Britain*, called *England*, *Wales*, and the town of *Berwick upon Tweed*, and not hereby otherwise directed or provided for, shall be practised, applied, observed, and executed, with relation to the said duty on policies of assurance, in as full and ample manner, as if the same, and every of them, were herein fully and particularly repeated and re-enacted with relation to the same duty hereby granted.

These duties to be raised as the duties on surrenders, &c. of copyhold lands.
10 ANNÆ, c. 19.

LXXIV. And be it hereby enacted and declared, That nothing in this act, or in any other act of parliament passed for granting any duties upon stamped vellum, parchment, or paper, shall extend, or be construed to extend, to charge the said stamp duties, or any of them, on any warrants or instruments which have been signed, or that hereafter shall be signed by the chief justices in eyre, or by any warden, lieutenant, or other officer of her Majesty's forests or chases, or any of them, or by their officers, or any of them, for any matter or thing relating to their respective offices.

Not to extend to warrants of the chief justices in eyre, &c.

LXXV. Provided always, and it is hereby enacted, That every person, who shall be appointed a commissioner for all or any the duties granted by this act, and every subordinate officer under such commissioners, who shall receive any salary or allowance in respect of his office (the several commissioners and officers of the customs excepted) shall, before his acting in his respective trust, take an oath for his due and faithful execution of the same, according to this act; which oath shall and may be administered to any such commissioners by any other person who shall be appointed a commissioner, as aforesaid, and to the said officers respectively, by any one of the said commissioners, or by one justice of the peace, who shall give to the officer a certificate thereof gratis.

Commissioners and officers to be sworn.

Persons sued upon this act, or the leather or candle acts, may plead the general issue.

9 Anna, c. 11.

8 Anna, c. 9.

9 Anna, c. 6.

LXXVI. Provided also, and it is hereby further enacted by the authority aforesaid, That if any person or persons shall at any time or times be sued or prosecuted for any thing by him or them done or executed in pursuance of this act, or of any matter or thing in this act contained, or in pursuance of the said former act (intituled, *An act for laying certain duties upon hides and skins, tanned, tawed, or dressed, and upon vellum and parchment, for the term of thirty two years, for prosecuting the war, and other her Majesty's most necessary occasions,*) or if any person or persons now is, or hereafter shall be sued or prosecuted for any matter or thing by him or them done in pursuance of an act of the eighth year of her Majesty's reign, *For laying certain duties on candles, and certain rates upon monies to be given with clerks and apprentices,* or in pursuance of an act of the ninth year of her Majesty's reign, *for granting further duties on candles, and other duties therein mentioned,* such person or persons shall and may plead the general issue, and give the special matter in evidence for his or their defence; and if upon the trial a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs shall become nonsuited, then such defendant or defendants shall have treble costs to him or them awarded against such plaintiff or plaintiffs.

Commissioners and officers to be appointed, who are to be liable to the act 9 W. 3. c. 44.

LXXVII. And to the end all the said rates and duties upon skins and hides, and pieces of skins and hides, made wares, vellum, and parchment, starch, coffee, tea, drugs, gilt and silver wire, policies of assurance, and any other duties before by this act granted, may be duly and certainly raised, and the same (except the necessary charges of executing this act) may be justly and duly brought into the said receipt of Exchequer, according to the true meaning hereof, it is hereby enacted by the authority aforesaid, That from time to time, during the continuance of this act, there shall be appointed such and so many commissioners and officers as shall be proper and necessary for managing, raising, collecting, and paying the said several rates and duties herein before granted, and for keeping and rendering the accounts of the same; and that the respective commissioners and officers concerned therein, shall perform their several duties in relation to the premises, as to them respectively shall appertain, under such and the like penalties, forfeitures, and disabilities, for any offence or neglect therein, as for detaining, diverting, or misapplying any part of the monies arising by the same rates and duties, as are prescribed and to be inflicted by virtue of an act of parliament made and passed in the ninth year of the reign of his late majesty King William the Third, intituled, *An act for raising a sum, not exceeding two millions, upon a fund for payment of annuities after the rate of eight pounds per centum per annum, and for settling the trade to the East Indies,* for the like offence or neglect relating to the duties thereby granted or referred unto, or for detaining, diverting, and misapplying any part of the monies which were granted or appropriated by the act last mentioned.

LXXVIII. And

LXXVIII. *And whereas it is intended that the said several rates and duties upon hides and skins, and pieces of hides and skins, made wares, vellum, and parchment, and upon starch, coffee, tea, and drugs, and upon gilt and silver wire, and the said duties upon policies of assurance, and all such sum and sums of money as shall arise or be brought into the receipt of her Majesty's Exchequer, by, upon, or for all and every or any the rates and duties granted by this act, shall all together be made a fund or security for raising any sum not exceeding eighteen hundred thousand pounds, towards your Majesty's supply, by such methods, and in such manner and form as are herein after mentioned: now we your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, for and towards the raising the said sum of eighteen hundred thousand pounds, do further most humbly beseech your Majesty, that it may be enacted; and be it enacted by the authority aforesaid, That yearly and every year, during the term of thirty two years, reckoning the first year to begin from the nine and twentieth day of September, one thousand seven hundred and twelve, the full sum of one hundred sixty eight thousand and three pounds, by or out of the monies to arise by or for the said several rates and duties herein before granted, or any of them, and to be brought into the receipt of the Exchequer, from time to time, in case the same shall extend to the said sum of one hundred sixty eight thousand and three pounds, shall be computed and reckoned to be a yearly fund; and in case all the monies arising into the Exchequer of or for all the rates, duties, and sums of money charged, as aforesaid, shall not amount to one hundred sixty eight thousand and three pounds *per annum*, then the monies so arising, so far as the same shall extend, shall be part of the said yearly fund of one hundred sixty eight thousand and three pounds *per annum*, for and towards the answering and paying of all and every the principal sums herein after mentioned, amounting in the whole to the sum of two millions three hundred forty one thousand nine hundred and ninety pounds, principal money, together with interest for the same after the rate of six pounds *per centum per annum*, as herein after is also mentioned; and in case the said monies by this act appointed or appropriated, as aforesaid, shall, at any time or times, appear to be so deficient or low in the produce of the same, as that within any one year to be reckoned, as aforesaid, the said monies arising into the Exchequer, for all the rates, duties, and sums of money charged, as aforesaid, shall not amount to so much as one hundred sixty eight thousand and three pounds, that then, and so often, and in every such case, so much as shall be wanting to make up the said fund or sum of one hundred sixty eight thousand and three pounds, for every or any such year, shall be supplied and made good, from time to time, by and out of the first aid or supply to be granted in parliament next after such deficiency shall appear, and shall, from time to time, be transferred thereunto as soon as the same shall be granted.*

1680031. to be the yearly fund for clearing off the principal sum of 23419901. with interest at 61. per cent.

Deficiency to be made good out of the first aid to be granted in parliament.

Any persons
may be con-
tributors, at
sool. a ticket.

LXXIX. And be it further enacted by the authority aforesaid, That it shall and may be lawful for any person or persons, natives or foreigners, bodies politick or corporate, to contribute for or towards advancing the aforesaid sum of eighteen hundred thousand pounds, by paying at or before the respective days and times by this act limited in that behalf, to any receiver or receivers to be appointed for that purpose, as is herein after mentioned, the sum of one hundred pounds, or divers intire sums of one hundred pounds upon this act; and that for the raising the said sum of eighteen hundred thousand pounds, any person who will become a contributor or adventurer, shall and may advance the sum of one hundred pounds, for which sum so advanced, he, she, or they shall be entitled to receive such principal money and the interest thereof, and such premiums as herein after is expressed, to be paid by and out of the said yearly fund by this act appointed; and that every contributor or adventurer may advance as many entire sums of one hundred pounds as he, she, or they shall think fit, and for every such sum of one hundred pounds so advanced, he, she, or they is or are to be interested in one lot or share of and in the said yearly fund by this act appointed; and the same intire sums of one hundred pounds each, are hereby appointed to be paid unto such receiver and receivers, at or before the respective days and times, and in the respective proportions herein after mentioned (that is to say) one fourth part thereof, on or before the first day of *August*, in the year of our Lord one thousand seven hundred and twelve; one other fourth part thereof, on or before the twelfth day of *September*, in the said year of our Lord one thousand seven hundred and twelve; one other fourth part thereof on or before the four and twentieth day of *October*, in the said year of our Lord one thousand seven hundred and twelve; and the remaining fourth part thereof, on or before the fifth day of *December*, in the said year of our Lord one thousand seven hundred and twelve.

Times of pay-
ment.

EXP.

The Queen to appoint managers, who are to meet together at some publick office. Books to be provided with three columns, &c. Receivers to be appointed by the lord treasurer, &c. Managers to examine the books, and to deliver them to the receivers, &c. Tickets to be delivered out. Receivers to redeliver the books by 10 Sept. 1712. Outermost column tickets not disposed of to be delivered into the Exchequer, and thence issued as cash. &c. and the bearers to be esteemed contributors. Middle column tickets to be rolled up and put into a box. Innermost to remain in the books. There shall be printed eighteen thousand tickets, divided into five classes; the first classis to consist of one thousand and five hundred tickets, upon one of which tickets shall be writ one thousand pounds, upon one hundred forty and five other tickets, two hundred pounds, and upon the remaining one thousand three hundred fifty and four tickets, one hundred and five pounds; the second classis to consist of two thousand five hundred tickets, upon one of which shall be writ three thousand pounds, upon one other two thousand pounds, upon one other one thousand pounds, upon one other five hundred pounds, upon four other four hundred pounds, upon five other three hundred pounds, upon two hundred twenty and nine other two hundred pounds, and upon

the remaining two thousand two hundred fifty and eight tickets shall be severally writ one hundred and ten pounds; the third classis to consist of three thousand and five hundred tickets, upon one of which shall be writ four thousand pounds, upon one other three thousand pounds, upon one other two thousand pounds, upon one other one thousand pounds, upon one other five hundred pounds, upon four other four hundred pounds, upon five other three hundred pounds, upon three hundred twenty six other two hundred pounds, and upon the remaining three thousand one hundred and sixty tickets one hundred and fifteen pounds; the fourth classis to consist of four thousand and five hundred tickets, upon one of which shall be writ five thousand pounds, upon one other four thousand pounds, upon one other three thousand pounds, upon one other two thousand pounds, upon one other one thousand pounds, upon one other five hundred pounds, upon four other four hundred pounds, upon five other three hundred pounds, upon four hundred twenty and three other two hundred pounds, and upon the remaining four thousand and sixty two tickets one hundred and twenty pounds; the fifth classis to consist of six thousand tickets, upon one of which shall be writ twenty thousand pounds, upon one other five thousand pounds, upon one other four thousand pounds, upon one other three thousand pounds, upon one other two thousand pounds, upon one other one thousand pounds, upon one other five hundred pounds, upon four other four hundred pounds, upon five other three hundred pounds, upon five hundred and seventy other two hundred pounds, and upon the remaining five thousand four hundred and fourteen tickets shall be writ one hundred twenty five pounds: which sums together with five hundred pounds to the first drawn ticket of each respective classis, and five hundred pounds to the owner to the last drawn ticket of each classis, will amount to two millions three hundred forty one thousand nine hundred and ninety pounds. The 18000 tickets to be put into five several boxes. No money to be received after 1 Aug. 1712. Publick notice of the time of cutting the tickets. The manner of drawing the tickets. The manner of filing the tickets. The manner of entering the tickets of the several classes. The manner of adjusting the several premiums. The tickets to be paid in such numerical order, as they shall be drawn, &c. The first classis to be first paid, &c. A table of the number, order, and course of the tickets, &c. to be printed. Managers to adjudge to whom the premiums belong. Forging tickets felony. Managers to make a book of the fortunate, &c. and transmit it to the Exchequer. Payments to be made quarterly. Managers to be sworn: penalty on officers of the Exchequer, and other officers offending. Money lent tax-free. Tickets to be exchanged for standing orders. How the first and second year's interest of large premiums shall be secured. Orders to be paid in course, &c. Treasury may divide extraordinary benefits of 2000l. or upwards into orders of 500l. The monies appropriated by this act, to be applied to pay off the principal and interest. Surplus disposable by parliament. Publick notice to be given when standing orders shall become payable. Eight pence per cent. per diem to Sept. 1712. allowed for the first payment. Four pence per cent. per diem, for the other three payments. Receivers to take in money before they receive their books. Contributor advancing one part of the payment, and failing in the rest, forfeits what is paid, &c. Orders to be paid out of the money arising by this act. If principal and interest be fully paid off before the 31 years, the duties to be disposed of by parliament. Treasury to appoint a paymaster, &c. Assignments of standing orders to be registred. E X P.

CVI. And for the more effectual preventing the frauds of the chandlers and makers of candles for sale, whereby her Majesty's duties upon candles are very much lessened; be it further enacted by the authority aforesaid, That every chandler or maker of candles for sale, who, from and after the first day of *August*, one thousand seven hundred and

Chandler to declare to the officers, before he begins to make a course of candles, the

number of
sticks he de-
signs to make,
with the sizes
of the candles,
and how many
moulds he de-
signs to fill,
&c.

twelve, shall make any candles for sale, shall, before he begins to make or dip any making or course of candles, declare to the officer or officers appointed to take an account of the same, the number of sticks which he designs to make at such making or course, and also the sizes of the candles whereof each stick is to consist; and if such making or course is intended to be of mould candles, then such maker shall declare to such officer or officers, before he begins to fill any of the said moulds, how many moulds he intends to fill at such making, and how often he intends at such making to draw the said moulds; and in case any chandler or maker of candles for sale, shall neglect or refuse to make such declaration, as aforesaid, or shall, after such declaration made, make any increase of his number of sticks, or of the sizes of his candles in such making or course, over and above the number and sizes so declared, as aforesaid, or in the case of making of mould candles shall fill a greater number of moulds, or draw such moulds oftener than shall be declared, as aforesaid; or in case any chandler or maker of candles shall, after the weighing of any making of candles by the officer or officers appointed to take an account of the same, increase the weight of such candles so weighed, by redipping the same, or otherwise; then and in any of the said cases, such chandler or maker of candles for sale, shall, for every such offence, forfeit and lose the sum of ten pounds, to be recovered, levied, and mitigated, by the same ways, means, and methods, as any penalty or forfeiture can or may be recovered, levied, or mitigated, by any of the laws of excise, and to go one moiety thereof to her Majesty, her heirs and successors, and the other moiety to the person or persons who shall inform or sue for the same.

on forfeiture
of 10l.

No chandler
to begin a
course of can-
dles without
notice, unless
within the sta-
ture hour.

CVII. And be it further enacted by the authority aforesaid, That from and after the said first day of *August*, one thousand seven hundred and twelve, no chandler or maker of candles for sale shall begin to make any course or making of candles, without notice thereof first given to the officer for the said duties, for the place or division where such maker shall inhabit, to the intent that such officer may take an account of the same, unless at such times as are herein after mentioned; that is to say, from the twenty ninth day of *September* to the twenty fifth day of *March*, yearly, between the hours of seven in the morning and five in the evening; and from the said twenty fifth day of *March* to the twenty ninth day of *September*, yearly, between the hours of five in the morning and seven in the evening; upon pain, that every such chandler or maker of candles, doing contrary hereunto, shall forfeit and lose, for every such offence, the sum of ten pounds, to be recovered, levied, mitigated, and distributed, as is last before mentioned.

7 ANNÆ. C. 1.

CVIII. And whereas by an act made in the seventh year of her present Majesty, intituled, An act for ascertaining and directing the payments of the allowances to be made for or upon the ex-
portation

portation from *Scotland* of fish, beef, and pork, cured with foreign salt, imported before the first day of *May*, one thousand seven hundred and seven; and for disposing of such salt still remaining in the hands of her Majesty's subjects there; and for ascertaining and securing the allowances for fish and flesh exported and to be exported from *Scotland* for the future; it is amongst other things enacted, That the allowances therein granted shall be paid and satisfied out of any her Majesty's duties arising upon salt in *Scotland*, or out of the revenues of customs and excise in *Scotland*, or any of them, with preference to all other payments whatsoever to be made out of the same, the charge of raising and managing those revenues, and the fees, salaries, and other charges, allowed or to be allowed by her Majesty, her heirs or successors, for keeping up the court of session and judiciary, and the Exchequer court in *Scotland*, always excepted and foreprized; and whereas since the union the expense of keeping up the said courts could no otherwise be provided for than out of the duties of custom and excise; and doubts may arise upon the provisions made by the act above recited for that purpose: for obviating and preventing of all such doubts, be it enacted by the authority aforesaid, That the fees, salaries, and other charges, allowed or to be allowed by her Majesty, her heirs or successors, for keeping up the courts of session, and judiciary, and Exchequer court of *Scotland*, are and may be chargeable upon any parts of the said customs and excise, preferable to all other payments whatsoever, the charge of management excepted, but so as not any ways to prevent any application of the excrescence out of the said customs and excise appointed by any former laws.

Fees, salaries, &c. for keeping up the court of session, &c. in *Scotland*, to be charged on the customs and Excise. See 5 Geo. 1. c. 26. f. 1.

CIX. And whereas notwithstanding the provision made for suppressing of unlawful lotteries, by an act made in the tenth year of the reign of the late King William, intituled, An act for suppressing of lotteries; and the further provision made for suppressing the same, and for the preventing the erecting or setting up any office or place, for making insurances on marriages, births, christnings, or service, by an act made in the last session of parliament, intituled, An act for reviving, continuing, and appropriating certain duties upon several commodities to be exported, and certain duties upon coals to be waterborn and carried coastwise; and for granting further duties upon candles for thirty two years; to raise fifteen hundred thousand pounds by way of a lottery, for the service of the year one thousand seven hundred and eleven; and for suppressing of such unlawful lotteries, and such insurance offices, as are therein mentioned; many ill disposed persons, with design to evade the said laws, have of late presumed to erect and set up offices or places for making insurances on marriages, births, christnings, or service, and also other offices or places under the denominations of sales of gloves, of fans, of cards, of numbers, and of the Queen's picture, for the improvement of small sums of money; and advertisements thereof are daily published in the common and printed news papers, and otherwise; which practices are prejudicial to the publick, and to the trade of this kingdom, and tend to defraud her Majesty's

Clause for suppressing unlawful lotteries, and other devices of the same kind. 10 & 11 W. 3. c. 17. 9 Annæ, c. 6.

Majesty's Subjects: be it further enacted by the authority aforesaid, That the said act of the tenth year of the late King *William*, and also the said act of the said last session of parliament, shall be duly put in execution for the effectual preventing and suppressing all such unlawful lotteries and offices; and further, That every person or persons who, after the twenty-fourth day of *June*, in the year of our Lord one thousand seven hundred and twelve, shall erect, set up, or keep any office or place, for making insurances on marriages, births, christnings, or service, or on any of them, or on any other office or place, under the denominations of sales of gloves, of fairs, of cards, of numbers, of the Queen's picture, for the improvement of small sums of money, or the like offices or places, under the pretence of improving small sums of money, shall forfeit, for every such offence, the sum of five hundred pounds, to be recovered with costs of suit by action of debt, bill, plaint, or information, in any of her Majesty's courts aforesaid, wherein no essoin, protection, wager of law, nor any more than one imparlance shall be allowed; one third part thereof to the use of her Majesty, her heirs and successors, one other third part thereof to the use of the poor of the parish of the place where the offence shall be committed, and the other third part thereof, together with full costs of suit, to the person or persons who shall inform or sue for the same: and every printer or other person, who, after the said twenty fourth day of *June*, one thousand seven hundred and twelve, shall, by writing or printing, publish the setting up or keeping any such office or place under any the denominations aforesaid, or like denominations, for the improvement of small sums of money, shall, for every such offence, forfeit the sum of one hundred pounds, to be recovered and distributed in such manner as the penalty last mentioned is to be recovered, and distributed; and every person or persons who, after the said twenty fourth day of *June*, one thousand seven hundred and twelve, in any office or place before the said twenty fourth day of *June*, one thousand seven hundred and twelve, erected or set up for making insurances on marriages, births, christnings, or service, or under any other the denominations aforesaid, or any like denominations, for improvement of small sums, shall make or suffer to be made therein, any new insurances or contracts for new insurances on marriages, births, christnings, or service, or receive any payments into any the offices or places aforesaid, for improvement of small sums of money, shall forfeit, for every such offence, the sum of one hundred pounds, to be recovered and distributed in like manner.

Proviso for offices set up before 24 June, 1712.

CX. Provided nevertheless, That the offices or places erected under the denominations aforesaid, set up or used before the said twenty fourth day of *June*, one thousand seven hundred and twelve, may be continued after the said twenty fourth day of *June*, one thousand seven hundred and twelve, for making good and executing only such contracts therein respectively made before the said twenty fourth day of *June*, one thousand

seven hundred and twelve, as they might have been continued if this act had not been made; any thing herein contained to the contrary thereof in any wise notwithstanding.

CXI. *And whereas by the said act for laying new duties on sope* (amongst other things therein mentioned) it is required, That all sope *to be made during the term thereby granted, shall, upon the making thereof, be put by the maker into such casks as are thereby prescribed, and none other, under the penalty therein expressed; it is hereby* declared, That the same shall not be construed to extend to hard cake sope, or ball sope; any thing in that act to the contrary notwithstanding.

Cake sope or ball sope not obliged to be put into casks. 10 Annæ, c. 19. f. 8.

CXII. *And whereas in pursuance of an act of parliament of the eighth year of her Majesty's reign, intituled, An act for granting to her Majesty new duties of excise, and upon several imported commodities; and for establishing a yearly fund thereby, and by other ways and means, to raise nine hundred thousand pounds by sale of annuities, and in default thereof by another lottery, for the service of the year one thousand seven hundred and ten; Mary Ravenell, widow, became purchaser of an annuity of eighteen pounds per annum, and paid into the receipt of Exchequer the three first payments, according to the said act, but by mistake of her agent, one moiety only of the fourth and last payment was paid, and twenty five pounds remaining of the said last payment is yet unpaid, and by means thereof the said Mary Ravenell cannot have an order for payment of the said annuity, in pursuance of the said act; be it therefore enacted by the authority aforesaid, That it shall and may be lawful to and for the several and respective officers at the receipt of the Exchequer, to receive from the said Mary Ravenell, for her Majesty's use, the sum of twenty five pounds, so omitted to be paid, as aforesaid, and upon the receipt thereof, to levy such talley for the said money, and to make out such order for the payment of the said annuity of eighteen pounds per annum, as they respectively might have done, in case the said fourth and last payment had been duly paid according to the directions of the said act, the said act, or any thing therein contained, to the contrary thereof in any wise notwithstanding.*

Clause in favour of Mary Ravenell. 8 Annæ, c. 7.

CXIII. *And whereas by an act passed this present session of parliament, intituled, An act for the relief of merchants importing prize goods from America, prize cocoa of the growth or produce of foreign plantations, not belonging to her Majesty or her subjects, taken in America, is to pay only such duties and customs as the same would pay if it were of the growth and produce of the plantations belonging to the crown of Great Britain; on which a doubt is made by the officers of her Majesty's customs, what duties and customs such prize cocoa is to pay, there not being any customs imposed on cocoa of the growth or produce of her Majesty's plantations, but on cocoa imported from the same; for remedy thereof, be it enacted and declared by the authority aforesaid, That all prize cocoa of the growth or produce of such foreign plantations, not belonging to the crown of Great Britain, taken in America, now in warehouses*

10 Annæ, c. 22.

Prize cocoa brought from the plantations how to be charged. houses

houses under the Queen's locks, or on board any ship or ships, vessel or vessels, now imported, or that hereafter shall be imported, into any part of *Great Britain*, having proper certificates to prove the same being prize, according to the meaning of the said act for the relief of merchants importing prize goods from *America*, shall be subject and liable to no other duties than what such prize cocoa was liable and subject to pay by her Majesty's declaration made in favour of the captors of prizes, dated the seventeenth day of *May*, one thousand seven hundred and three; any thing in the said act, or any other act to the contrary notwithstanding.

1 Clause concerning certain tickets intended to be subscribed into the South Sea company, by virtue of 9 Annæ, c. 21.

XXIV. *And whereas by the act of parliament made in the ninth year of her Majesty's reign, intituled, An act for making good deficiencies, and satisfying the publick debts; and for creating a corporation to carry out a trade to the South Seas, and for encouragement of the fishery; and for liberty to trade in unwrought iron with the subjects of Spain; and to repeal the acts for registering of seamen; (reciting therein, that part of the debt of the navy is ascertained by tickets made out for wages due to seamen, and others, who served on board any of her Majesty's ships) the commissioners of the navy are thereby required to cause an exact and true account to be made up and delivered to the lord high treasurer, of all the said tickets made out on or before the twenty fifth day of March, one thousand seven hundred and eleven; and so much money as the said tickets should amount unto, are, by the said recited act, directed to be deducted (among other things therein mentioned) out of the several sums therein before computed to be the debt of the office of the navy, victualling, transport and ordnance, in order to ascertain the same, to be subscribed into the joint stock of the said company, for the use of the publick; and the said tickets are, by the said recited act, directed to be subscribed, admitted, and taken into the joint stock of the said company for the respective sums due upon the same respectively, with such interest as in the said recited act is mentioned: and whereas the tickets made out for wages due to seamen, and others, who served on board any of her Majesty's ships, do only ascertain the time such persons served on board any of her Majesty's ships, but not the wages or money due to them, so that such account cannot be made out as the said recited act directs; be it therefore enacted by the authority aforesaid, That no more or other of the said tickets shall be subscribed, admitted, or taken into the joint stock of the said company than have been already subscribed, admitted, and taken thereinto; and that all the tickets made out, or to be made out for such service, as aforesaid (except such of them as are already subscribed, admitted, and taken into the joint stock of the said company) shall and may be paid in such method and manner as the same might or should be paid if they had not been directed by the said recited act to be subscribed, admitted, and taken into the joint stock of the said company; and that there shall and may be subscribed into the joint stock of the said company, for the use of the publick, such sum or sums as might or should have been subscribed for the use of the publick,*

if.

if the said tickets had not by the said recited act been directed to be subscribed, admitted, and taken into the joint stock of the said company; any thing in the said recited act to the contrary notwithstanding: and all the stock which shall be subscribed into the said joint stock of the said company, for the use of the publick, shall be applicable and applied, and are hereby appropriated to such uses, as by the said recited act is directed, for and concerning the stock to be subscribed into the said company, for the use of the publick.

CXV. And be it further enacted by the authority aforesaid, for the indemnity of such persons, who through neglect or inadvertency, have omitted to pay the several rates and duties upon monies given, paid, or contracted for with apprentices, and to have the indentures or contracts stamped within the times for those purposes respectively limited by the acts of parliament in that case made; that upon payment of the respective rates or duties so omitted or neglected to be paid, as aforesaid, on or before the twenty ninth day of *September*, in the year of our Lord one thousand seven hundred and twelve, to such person or persons to whom the same ought to have been paid, and rendering to be stamped such indentures or contracts so omitted to be stamped, on or before the twenty fifth day of *December*, in the said year of our Lord one thousand seven hundred and twelve, the same indentures or contracts shall be good and available in law or equity, and the apprentices therein named shall be capable of following and exercising the respective intended trades or employments, as fully as if the rates and duties, so omitted, had been duly paid within the respective times in the said acts of parliament limited; and the persons who have incurred any penalty by the omissions aforesaid, are hereby acquitted and discharged of and from the said penalty; any thing in the said acts contained to the contrary notwithstanding.

Clause to indemnify those who have omitted to pay the duties on apprentices.

CXVI. And be it enacted by the authority aforesaid, That all the monies lent, and to be lent to her Majesty upon one act of this session of parliament, intituled, *An act for granting an aid to her Majesty, to be raised by a land tax in Great Britain, for the service of the year one thousand seven hundred and twelve*; and so much money (if any such be) of the tax thereby granted, as shall arise and remain after all the loans made or to be made upon that act, or thereby transferred, or directed to be transferred thereunto, and the interest thereof, and the charges thereby allowable for the raising the said tax, shall be satisfied, or money sufficient shall be reserved, to discharge the same; and all the monies lent, or to be lent unto her Majesty, upon another act of this session of parliament, intituled, *An act for charging and continuing the duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and twelve*; and for supplying part of the coinage duties to pay the deficiencies of the value of plate coined; and to pay for receiving the old money in Scotland; and so much money of the said duties of malt, mum, cyder, and perry, thereby granted, as shall arise and remain after all the

Clauses of appropriation of the several sums granted this session.

10 ANNÆ, c. 1.

10 ANNÆ, c. 3.

the loans made, or to be made upon that act, or thereby transferred, or directed to be transferred thereunto, and the interest thereof, and the charge thereby allowable for the raising the said duties thereby granted, shall be satisfied, or money sufficient shall be reserved to discharge the same; and all the monies of the deduction of two and a half *per centum*, which has been, or ought to be made from the pay, subsidies, or other allowances for foreign forces in her Majesty's service, for the year one thousand seven hundred and twelve; and all the monies of the sum of one million eight hundred thousand pounds, arisen, or to arise by another act of this session of parliament, intituled, *An act for laying several duties upon all soap and paper made in Great Britain, or imported into the same, and upon chequered and striped linens imported; and upon certain silks, callicoes, linens, and stuffs, printed, painted, or stained; and upon several kinds of stamped vellum, parchment and paper; and upon certain printed papers, pamphlets, and advertisements; for raising the sum of one million eight hundred thousand pounds by way of a lottery towards her Majesty's supply; and for licensing an additional number of hackney chairs; and for charging certain stocks of cards and dice; and for better securing her Majesty's duties to arise in the office for the stamp duties by licences for marriages and otherwise; and for relief of persons who have not claimed their lottery tickets in due time, or have lost Exchequer bills, or lottery tickets; and for borrowing money upon stock (part of the capital of the South Sea company) for the use of the publick; over and above the allowances for prompt payment, and other allowances directed by the act last-mentioned; and all the monies which, over and above the allowances for prompt payment, and other allowances directed by this present act, shall arise of or for the said contributions, not exceeding the sum of eighteen hundred thousand pounds in this act mentioned; shall be appropriated for or towards the several uses, intents, and purposes herein after expressed, (that is to say) for or towards defraying the charges of the ordinary of her Majesty's navy, and for victuals, wages, wear, and tear, and other services of the navy, and victualling thereof, performed and to be performed, and for sea service in the ordnance, performed and to be performed, so as all the issues to be made out of the said aids or supplies for all the said naval or marine services, do not in the whole exceed two millions two hundred and sixty thousand pounds, over and above the money to be made good to the South Sea company, as is herein after mentioned; and for or towards maintaining the body of forty thousand men, which was raised to act in conjunction with the forces of her Majesty's allies; and for and towards maintaining the additional forces of ten thousand men, which were taken into her Majesty's service, in the year one thousand seven hundred and three, in the Low Countries; and for or towards maintaining a further number of additional forces in the Low Countries, in the year one thousand seven hundred and twelve, not exceeding fifteen thousand one hundred seventy eight men, to be continued upon condition that.*

10 Annæ, c. 19

Ordinary of
the navy.Sea service in
the ordnance.Land forces to
act with those
of the allies.Additional
forces in the
Low Coun-
tries.

that the states general of the United Provinces do agree to add to such additional forces the proportion of three fifths to two fifths, so as all the issues to be made out of the said aids or supplies for all the said forces, and additional forces before-mentioned, do not in the whole exceed one million three hundred twenty four thousand seven hundred and twenty eight pounds, eighteen shillings, and seven pence; and for or towards defraying the charge of the *British* and other forces in her Majesty's *British* and pay in *Spain* for one quarter of a year, from *Christmas* one thousand seven hundred and eleven, to *Lady Day* one thousand seven hundred and twelve; and for or towards her Majesty's proportion of the charge of the war in *Spain* for three quarters of a year in *Spain*. year, from *Lady Day* one thousand seven hundred and twelve, to *Christmas* one thousand seven hundred and twelve, so as all the issues to be made out of the said aids or supplies for the aforesaid charges of the forces and war in *Spain*, do not in the whole exceed four hundred seventy five thousand three hundred and eighty five pounds, seven shillings, and eight pence farthing; and for or towards defraying her Majesty's proportion of the pay, subsidy, and other charges for carrying on the war in *Portugal* for the year one thousand seven hundred and twelve, not exceeding in the whole one hundred ninety six thousand four hundred fifty two pounds, fourteen shillings, and ten pence, out of the said aids or supplies; and for or towards the charge of the office of her Majesty's ordnance for land service, performed and to be performed, not to exceed in the whole one hundred sixteen thousand four hundred and eleven pounds, seventeen shillings, and one penny, out of the same aids or supplies, including the fortifications of *Edinburgh* castle, fort *William*, and *Dumbarton* castle in *Scotland*; and for or towards the charge, not exceeding two thousand five hundred pounds, for building a church at *Rotterdam*, wherein divine service is celebrated after the usage of the church of *England*, for the benefit of her Majesty's subjects there; and for or towards the pay of the horse, foot, and dragoons in *Great Britain*, and of nine independent companies; and for or towards the pay of the garrisons in *Great Britain*; and for or towards the pay of the general officers for the guards and garrisons in *Great Britain*; and for or towards the payment of contingencies for the guards and garrisons in *Great Britain*; so as all the issues to be made out of the said aids or supplies for the pay of the said horse, foot, and dragoons in *Great Britain*, and of the said nine independent companies, and for the said garrisons, general officers, and contingencies, in *Great Britain*, do not in the whole exceed five hundred fourteen thousand one hundred and forty one pounds, fourteen shillings, and five pence three farthings; and for or towards her Majesty's proportion of subsidies payable pursuant to treaties made and to be made with her Majesty's allies, not to exceed in the whole three hundred twenty eight thousand nine hundred fifty six pounds, sixteen shillings, and seven pence, out of the said aids or supplies; and for or towards the charge

other forces in Spain.

Charge of the war in Spain.

Charge of the war in Portugal.

Ordnance for land service, &c.

Building a church at Rotterdam.

Forces, &c. in Great Britain.

Subsidies pursuant to treaties.

of

Transport service.

* *Eighty* in the former edition.

Deficiencies for the year 1711.

Extraordinaries of the war.

Salaries.

Clerks, &c. to the commissioners of accounts.

Commissioners for stating the debts of the army. And their incident charges.

Soldiers for sea service.

No appropriation to obstruct any payment by the treasurer of the navy, to make good deficiencies to the South Sea corporation, in pursuance of 9 Ann. c. 21.

of transporting land forces, performed and to be performed, not to exceed eight * thousand pounds, out of the said aids or supplies; and for or towards making good the deficiencies of the grants in parliament for the year one thousand seven hundred and eleven, not to exceed in the whole five hundred eighty nine thousand eight hundred thirty nine pounds, seventeen shillings, and four pence, out of the aids and supplies aforesaid; and for or towards defraying several extraordinary charges, not exceeding in the whole two thousand forty three thousand and twenty pounds, seventeen shillings, and six pence, relating to the war, incurred and to be incurred; and for or towards satisfaction of the said three thousand five hundred pounds for salaries; and any sum not exceeding two thousand five hundred pounds, for payment of clerks and other charges to be allowed without account to the seven commissioners, continued by an act of this session of parliament, for stating the accounts of all the publick monies; and any further sum not exceeding three thousand five hundred pounds, for salaries of such commissioners as are or shall be empowered by any act of this session of parliament, to state and determine the debts of the army; and also any sum not exceeding one thousand pounds, to be received without account, for the incident charges of the said commissioners relating to the service last-mentioned, and to none other uses, intents, and purposes whatsoever.

CXVII. Provided always, That out of the monies to be issued to the guards and garrisons, as aforesaid, there shall and may be taken and applied any sum not exceeding eighty seven thousand one hundred and twenty five pounds, and ten shillings, towards the charge of maintaining the soldiers raised and to be raised for the sea service, with their officers, and the contingent charges thereunto belonging; and out of the monies to be issued for the service of the navy and sea service, as aforesaid, there shall and may be taken and applied such sums as, together with the said sum not exceeding eighty seven thousand one hundred twenty five pounds, and ten shillings, shall be necessary for the charge of maintaining the said soldiers for sea service, with their officers, and the contingent charges thereunto belonging; any thing herein contained to the contrary notwithstanding.

CXVIII. Provided also, and it is hereby enacted and declared, That no appropriation, or other matter or thing in this act contained, shall obstruct or hinder any payment or payments which, by or in pursuance of an act made in the ninth year of her Majesty's reign, intituled, *An act for making good deficiencies, and satisfying the publick debts; and for creating a corporation to carry on a trade to the South Seas, and for the encouragement of the fishery; and for liberty to trade in unwrought iron with the subjects of Spain; and to repeal the acts for registering seamen*, and of her Majesty's charter grounded thereupon, are or shall be required and authorized to be made by the treasurer or paymaster of the navy for the time being, or by any other persons to be intrusted with the publick monies for the service of the navy, out of such publick

publick monies, tallies, orders, or parliamentary securities in their hands or power respectively, as are or shall thereby be charged or chargeable to make good any deficiency or deficiencies to the corporation erected in pursuance of the act last-mentioned, called by the name of the governor and company of merchants of *Great Britain*, trading to the *South Seas*, and other parts of *America*, and for encouraging the fishery, or to their treasurer for their use; any thing herein contained to the contrary notwithstanding.

CXIX. Provided also, and it is hereby enacted, That so much money as, before the first day of *August*, one thousand seven hundred and twelve, shall be deficient to complete the quarterly payments incurred before that time, for or upon the annuities, amounting to eighty thousand pounds *per annum*, settled by one act of parliament made and passed in the sixth year of her Majesty's reign; and so much money as shall be deficient to complete the quarterly payments incurred or to incur at any quarter day, on or before the twenty fifth day of *December*, one thousand seven hundred and twelve, for or upon the annuities, amounting to forty thousand pounds *per annum*, settled by another act of parliament made and passed in the said sixth year of her Majesty's reign, shall and may be supplied out of any publick money that is or shall be in the Exchequer, not appropriated to particular uses by any former or other act or acts of parliament; and in default thereof, the same deficiencies, or so much thereof as shall remain unpaid out of such publick money, shall and may be completed and made good out of any money that is or shall be in the Exchequer, of the aids or supplies granted in this session of parliament, and hereby appropriated for services relating to the war, as aforesaid; the same appropriations, or any of them, to the contrary, notwithstanding.

Deficiencies on the annuities 6 Annæ, c. 11. to be made good out of the publick monies, &c.

6 Annæ, c. 5.

C A P. XXVII.

An act for making effectual such agreement as shall be made between the E X P. royal *African* company of *England* and their creditors.

Two third parts or more of the creditors of the *African* company, their executors, &c. may, before *Dec. 20. 1712.* allow them time for payment of their debts; and such agreements shall bind the rest of the creditors. Such agreements by guardians, &c. shall bind infants, &c. Saving debts due to the crown before 1 *June, 1712.*

C A P. XXVIII.

An act for continuing the trade and corporation capacity of the *United East India* company, although their fund should be redeemed.

WHEREAS in and by an act made in the ninth year of the 9 & 10 W. 3. reign of our late sovereign lord King William the Third, of C. 44. glorious memory, intituled, An act for raising a sum not exceeding two millions, upon a fund for payment of annuities, after the rate of eight pounds *per centum per annum*, and for settling

the trade to the East Indies, it is, amongst other things, enacted, That the sum of one hundred and sixty thousand pounds per annum arising by the several duties upon salt, and upon stamp vellum, parchment, and paper, in the said act mentioned, should be applied for the paying of annuities of eight pounds per centum per annum, to such persons or corporations as should subscribe and pay the sum of two millions of money, upon the terms of the said act; and that the persons and corporations, who should so subscribe and pay the said monies, should have the sole trade to the East Indies, and the other places mentioned in the said act, subject nevertheless to a proviso or condition of being redeemed by parliament at any time upon three years notice after the nine and twentieth day of September, one thousand seven hundred and eleven; upon repayment of the said two millions, and of the arrears of the said annuities of eight pounds per centum, in the manner directed by the said act: and it was by the said act likewise provided, That his said late Majesty might constitute a corporation to trade with a joint stock to the said East Indies, with such powers and authorities, and under such limitations as in the said act are for that purpose set forth; and his said late Majesty did, in pursuance of the said act, by his letters patents, under the great seal of England, bearing date the fifth day of September, in the tenth year of his reign, constitute a corporation or body politick, by the name of The English company trading to the East Indies, with such benefit of trade, powers, privileges, and advantages, and subject to such restrictions, conditions, and agreements, as are in the said letters patents set forth: and whereas, in and by one other act made in the sixth year of her present Majesty's reign, intituled, An act for assuring to the English company trading to the East Indies, on account of the united stock, a longer time in the fund and trade therein mentioned; and for raising thereby the sum of one million two hundred thousand pounds, for carrying on the war, and other her Majesty's occasions, it was enacted, That upon payment to her Majesty of the sum of one million two hundred thousand pounds, at the times, and upon the terms in the said act mentioned, they the said English company trading to the East Indies, now called The United Company of Merchants of England trading to the East Indies, should have such further time and interest in the said fund and trade to the East Indies, as in the last-mentioned act is particularly set forth, but subject to the proviso or condition of redemption in the said last-mentioned act, and herein set forth; that is to say, it was thereby declared and enacted, That at any time upon three years notice, after the five and twentieth day of March, which shall be in the year of our Lord one thousand seven hundred and twenty six, upon the expiration of the said three years, and upon repayment by parliament, as well of the said sum of two millions then before advanced, as of the said sum of one million two hundred thousand pounds then to be advanced, and since advanced and paid accordingly, making in the whole three millions two hundred thousand pounds, and of all arrears which, at the end of the said three years, shall be due for and upon the said fund of one hundred and sixty thousand pounds, then and from thenceforth, as well the said duties upon salt, as the said duties

Recital of the
act 6 Annæ,
c. 17.

duties upon stamp vellum, parchment, and paper, and also the said yearly fund of one hundred and sixty thousand pounds, and all the corporations erected in pursuance of the said acts, or the benefit of trade granted by them, or by any charters made in pursuance thereof, should absolutely cease and determine: now to the intent that the said united company of merchants of England trading to the East Indies, and their successors, may be the better encouraged to proceed in their trade, and to make such lasting settlements for the support and maintenance thereof for the benefit of the British nation, may it please your Majesty, at the humble petition of the said united company of merchants of England trading to the East Indies, that it may be enacted; and be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the last-mentioned proviso for redemption and determination of the said several duties, yearly fund, annuities, corporations, and benefit of trade, shall be, and is hereby repealed and made void; and that the said duties upon salt, and the said duties upon stamp vellum, parchment, and paper, and the duty of five pounds in the hundred charged by the said acts upon goods imported from the East Indies, shall continue, and the said united company of merchants of England trading to the East Indies, and their successors, shall have and enjoy the said yearly sum of one hundred and sixty thousand pounds per annum, or such part thereof as they now are or hereafter shall be entitled unto, and all the benefit of trade, franchises, privileges, and profits, and advantages whatsoever, in respect thereof given and granted, or intended to be given or granted unto them by the said act of the ninth year of his said late Majesty's reign, or by the said charter of the fifth day of September, in the tenth year of his said late Majesty's reign, or by the said act of the sixth year of her present Majesty's reign, or by any of them, freed and discharged of and from the said former proviso or condition of redemption contained in the said last recited act, and all other provisos, powers, acts, matters, or things, heretofore had, made, done, or committed, for redeeming, determining, or making void the said duties, yearly fund, benefit of trade, franchises, privileges, profits, and advantages, or any of them, subject nevertheless to the restrictions, covenants, and agreements in the said recited acts, and letters patents, or any of them contained, now in force, and all subject to the general provisos or condition of redemption herein after contained; that is to say, Provided always, and it is hereby declared and enacted by the authority aforesaid, That at any time, upon three years notice after the five and twentieth day of March, which shall be in the year of our Lord one thousand seven hundred and thirty three, and upon repayment by parliament as well of the said sum of two millions, as of the said sum of twelve hundred thousand pounds, making in the whole three millions two

G g 2.

The proviso in the last recited act for redemption of the duties on salt, &c. repealed, and the said duties shall continue.

And the East India company shall enjoy the yearly sum of 160,000l. &c. discharged of the said condition.

9 & 10 W. 3. c. 41.

6 Annæ, c. 17.

Proviso that on 3 years notice after 25 March, 1733. and on repayment of 2,000,000l. and 1200,000l. and all arrears due on the said

160,000l. per
ann. the said
duties on salt,
&c. shall de-
termine.

hundred thousand pounds, unto such companies, corporations, and persons, as shall be then entitled thereto, and of all arrears which, to the end of the said three years, shall be due for or upon the said yearly fund of one hundred and sixty thousand pounds *per annum*, then and from thenceforth the said duties upon salt, and the said duties upon stampd vellum, parchment, and paper, and the said yearly fund of one hundred and sixty thousand pounds, shall absolutely cease and determine.

CAP. XXIX.

An act for better ascertaining and securing the payments to be made to her Majesty for goods and merchandizes to be imported from the East Indies, and other places within the limits of the charter granted to the East India company.

WHEREAS the united company of merchants of England trading to the East Indies, do yearly import great quantities of goods, the species and quantities whereof cannot be known, nor due entries made, so as to ascertain the customs, without having them first landed and examined, to bring the contents thereof into a method fit for the computation of the customs and other duties payable for the same; for which reason it hath been the constant practice of all companies trading to the East Indies, to enter and land their goods and merchandizes by bills at sight, or sufferance, and to give security for payment of the customs, and other duties thereof, at two six months time from the importation: and whereas some doubts have lately arisen concerning the legality of the said practice; be it therefore enacted and declared by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful for the said company, and their successors, from time to time, to enter such goods as are or shall be imported by them at the custom-house by bills at sight, or sufferance, and to give security under their common seal for the payment of the customs, and other duties laid, or to be laid, upon all such goods as are rated in the book of rates, and upon coffee, which is to be ascertained by the oath of the importer, *viz.* for the payment of one half part thereof at the end of six calendar months next after the time within which the report of the master or purser of the ship, in which they shall be imported, shall or ought to have been made, and for the payment of the other half part thereof, at the end of twelve calendar months next after the time within which such report shall or ought to be made, as aforesaid; and the commissioners and principal officers of the customs, are hereby authorized and required to grant to the said company such bills at sight, or sufferance, and take such security, as aforesaid, and to make them such allowances and deductions as are to be made to other merchants, paying their

East India
company may
enter the
goods they
import, by
bills at sight,
and give secu-
rity for pay-
ment of the
customs, &c.

their customs and other duties at or before the landing of their goods.

II. Provided always, and be it further enacted by the authority aforesaid, That this act, or any thing therein contained, shall not extend, or be construed to extend, to alter the method or manner of paying the duties of fifteen per cent. on muslins and calicoes, or the duties upon any other goods, which are to be ascertained by sale at the candle.

Not to alter the manner of paying the duties on muslins, &c.

CAP. XXX.

An act for continuing the trade to the South Seas, granted by an act of the last session of parliament, although the capital stock of the said corporation should be redeemed.

WHEREAS by an act of parliament made in the ninth year of her Majesty's reign, intituled, An act for making good deficiencies, and satisfying the publick debts; and for erecting a corporation to carry on a trade to the South Seas, and for the encouragement of the fishery; and for liberty to trade in unwrought iron with the subjects of Spain; and to repeal the acts for registering seamen; it is provided and enacted, That at any time upon one year's notice after the five and twentieth day of December, one thousand seven hundred and sixteen, upon repayment by parliament of the principal sum of which the capital stock of the company, which was intended to be established by virtue of the said act, should, for the time being, consist, and of all arrears of the annuities or yearly payments therein mentioned, or by payment thereof by and out of the surplus monies of the fund settled by the said act for payment of the said annuities to the said company, then all the impositions and duties thereby granted or appropriated, should or might be disposed of by parliament, and the yearly fund therein mentioned, and the annuities issuing out of the same, shall absolutely cease and determine; and her Majesty, by letters patent under the great seal of Great Britain, bearing date the eighth day of September, one thousand seven hundred and eleven, grounded on the said act of parliament, hath incorporated all and every the person and persons, natives and foreigners, bodies politick and corporate, who then were or should be interested in, or entitled unto any the bills, tickets, debentures, certificates, or other publick debts, deficiencies, or sums of money, intended to be provided for by that act, and all and every person and persons, bodies politick and corporate, who as executors, administrators, successors, or assigns, or by any other lawful title derived, or to be derived from, by, or under the original proprietors, at any time or times, should have and be entitled to any part, share, or interest of or in the yearly fund, by the first act settled, so long as they respectively should have any part, share, or interest therein, to be one body politick and corporate, by the name of The Governor and Company of Merchants of Great Britain, trading to the South Seas and other parts of America, and for encouraging the fishery; and by that name to have perpetual succession, with such powers, privileges, and advantages, as in said charter are mentioned, subject nevertheless to the condition or

power of redemption in the said act expressed, as by the said act of parliament and charter may respectively; and whereas some doubts have arisen, or may arise, concerning the power of redemption intended by the said act and charter, which might tend to discourage the said company in expending such large sums of money as are necessary to be expended for making new settlements within the limits of their charter, and settling a trade there, for the future benefit of Great Britain: for explanation whereof, be it therefore enacted and declared by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the said lords, That at any time upon one year's notice, after the five and twentieth day of *December*, one thousand seven hundred and sixteen, upon repayment by parliament of the said principal sum, of which the capital stock of the said company shall, for the time being, consist, and of all arrears of the annuities and yearly payments aforesaid, or by payment thereof by and out of the surplus money of the funds settled by the said act, for payment of the said annuities to the said company, then all the impositions and duties by the said act granted or appropriated, shall and may be disposed of by parliament; and the said yearly fund, and the said annuities out of the same, shall cease and determine: but that the said corporation by the name aforesaid, after such redemption of the said yearly fund, shall continue for ever, and have perpetual succession, and shall hold and enjoy all forts, factories, and acquisitions that they shall erect, establish, and make within the limits prescribed by the said act and charter, and the lands, tenements, and hereditaments, that shall be by them purchased in *Great Britain*, not exceeding one thousand pounds *per annum*; and the members thereof, without having any share or interest in the yearly fund so to be redeemed, shall have, and be entitled to have, the sole benefit of trade in and to the *South Seas*, and elsewhere, and such power of trade in the fishery, as by the said act is directed, and all other benefits, powers, privileges, and advantages (the annuities issuing out of the said yearly fund only excepted) as if no such redemption were had or made; and from and after such redemption of the said yearly fund, all persons having any share or interest in the money or stock paid into or gained by the said company, to carry on the trade of the said company, shall be, and be deemed members of the said company, and be entitled to all the benefits, profits, privileges, and advantages thereof, in proportion to their respective parts and shares in the said money or stock, that is, or shall, from time to time, be paid in for trade, or shall be gained thereby; and the said money or stock so paid, or to be paid in for trade, or gained thereby, shall be assignable and transferrable in such and the like manner (*mutatis mutandis*) as the shares in the capital stock and yearly fund are now assignable, or may be assigned; and that from and after such redemption of the said yearly fund by parliament, or after one moiety thereof, or more, shall be re-

deemed

On one year's notice after 25 Dec. 1716. and on repayment of the principal sum of which the company's stock shall then consist, and of all arrears, &c. the duties granted by the recited act may be disposed of by parliament; but the corporation shall continue for ever, and enjoy all forts, &c.

deemed and discharged, by and out of the surplus of the funds settled by the said act for payment of the same, the said governor and company may, from time to time, by by-laws or orders to be made in their general court, or general courts, declare and direct how much and what part or share in the then remaining capital stock or yearly fund, and the money or stock paid in for trade, or gained thereby, or in both or either of them, shall qualify the members of the said company, to give any vote or votes in any general court or general courts, and for the electing of a governor, sub governor, deputy governor, and directors of the said company, and for the continuing and being elected in the said offices, or any of them.

and the company may make by-laws, &c.

CAP. XXXI.

An act for the appointing commissioners to take, examine and determine the debts due to the army, transport service, and sick and wounded.
E X P.

CAP. XXXII.

An act for enlarging the time for ministers, advocates, and other members of the college of justice in Scotland, to take the oaths therein mentioned.

WHEREAS by an act made in this present session of parliament, intituled, An act to prevent the disturbing those of the episcopal communion, in that part of Great Britain called Scotland, in the exercise of their religious worship, and in the use of the liturgy of the church of England; and for repealing the act passed in the parliament of Scotland, intituled, *Act against irregular baptisms and marriages*; it is enacted, That all ministers of the established church in Scotland, and all and every person or persons who is or are pastor or pastors, minister or ministers of any episcopal congregation in Scotland, shall be obliged, and are thereby required, on or before the first day of August next, to take and subscribe the oaths therein set forth, in such manner, and under such penalties, as all officers, civil and military, in Scotland, are obliged to take the oath recited in the fourteenth act of the sixth year of her Majesty's reign, intituled, An act for the better security of her Majesty's person and government: and whereas, by the said last mentioned act, it is amongst other things enacted, That all officers, civil and military, in that part of the kingdom of Great Britain called Scotland, who are obliged and required to take in Scotland an oath, called the oath of allegiance and assurance, before the privy council there, should be obliged, on or before the twentieth day of April, one thousand seven hundred and eight, to take and subscribe the oath by the said act appointed, before the privy council, while it should continue, and after the determination thereof, before and in the court of session, or the court of justiciary, or the court of Exchequer there; and that all others then in any of the offices aforesaid, who, in respect thereof, had used and been obliged to take the said oath of allegiance and assurance in any other court and place, should be obliged to take and subscribe the same at the next quarter sessions of the peace.

10 ANNÆ, C. 7.

6 ANNÆ, C. 14.

that should be held for any county or place in which any such officer should be resident and abiding; and that all and every person or persons whatsoever, who should after be admitted into any office, civil or military, within that part of Great Britain called Scotland, should, within three months after his admittance into any such office, be obliged to take the oath appointed by the said act, in the respective courts above mentioned, according to the distinction therein and above mentioned, for persons then in office; and whereas many of the ministers of the established church, and episcopal persuasion in Scotland, had not notice of the passing of the said act of this present session of parliament, until after the last quarter sessions of the peace, and that there will be no other quarter sessions of the peace in Scotland, before the second day of August next, whereby many of the said ministers and pastors are rendered incapable of taking the oaths by the said act required: for remedy whereof, be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That if any minister or ministers of the established church of Scotland, or any person or persons who is or are pastor or pastors, minister or ministers of any episcopal congregation in Scotland, shall, on or before the first day of November, in the year of our Lord one thousand seven hundred and twelve, take and subscribe the oaths in the act of this present session of parliament mentioned and set forth, in such manner as all officers, civil and military, in Scotland, are obliged to take the oaths recited in the said act made in the sixth year of her Majesty's reign, the same shall be, to all intents, constructions, and purposes, as effectual as if such minister or ministers, pastor or pastors, had taken the said oaths within the time appointed by the act of this present session of parliament.

Ministers in Scotland taking the oaths mentioned in 10 Annæ, c. 7. before 1 Nov. 1712. shall be as effectual as if they had taken them within the time appointed by that act.

10 Annæ, c. 2.

II. And whereas by another act made in this present session of parliament, intituled, An act for preserving the protestant religion, by better securing the church of England as by law established, and for confirming of the toleration granted to protestant dissenters, by an act, intituled, An act for exempting their Majesties protestant subjects, dissenting from the church of England, from the penalties of certain laws; and for supplying the defects thereof; and for the farther securing the protestant succession, by requiring the practitioners of the law in North Britain to take the oaths, and subscribe the declaration therein mentioned; it is enacted, That all advocates, writers to the signet, notaries publick, and other members of the college of justice, within that part of Great Britain called Scotland, shall be obliged, on or before the fifteenth day of June, to take and subscribe before the lords of session, the oath appointed by

6 Annæ, c. 14.

an act made Anno sexto Reginæ, intituled, An act for the better security of her Majesty's person and government; and in case of their neglect or refusal to take and subscribe the said oaths, as aforesaid, such person shall be ipso facto incapable and disabled in law to have, enjoy, or exercise his said employment: and whereas the court of session in Scotland does not sit from the last of February to the

the first of June, and that several of the advocates, writers to the signet, notaries publick, and others, members of the college of justice aforesaid, have, either by reason of sickness, indisposition, or absence, been rendered incapable of taking the oath by the said act required: for remedy whereof, be it further enacted by the authority aforesaid, That if any advocate, writer to the signet, notary publick, or any member of the college of justice aforesaid, shall, on or before the said first day of November, take and subscribe the aforesaid oath, either in her Majesty's court of session, justiciary, or Exchequer in Scotland, or at the quarter sessions there, for the city or county where such person or persons inhabit or dwell, or in her Majesty's court of Chancery, Queen's Bench, Common Pleas, or court of Exchequer, at Westminster, the same shall be, to all intents and purposes, as effectual, as if such advocate, writer to the signet, notary publick, or other member of the college of justice, had taken the same within the time, and in the manner appointed by the aforesaid act; any thing therein contained to the contrary notwithstanding.

Advocates, &c. taking the oaths in the act 6 Annæ, c. 14. before the said first day of November, shall be as effectual as if they had taken the same, as appointed by the recited act.

CAP. XXXIII.

An act for the appointing the circuit courts in that part of Great Britain called Scotland, to be kept only once in the year.

WHEREAS it has been found by experience to be sufficient for the administration of justice in that part of Great Britain called Scotland, that the circuit courts should be kept only once in the year; be it therefore enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and the commons, in this present parliament assembled, and by the authority of the same, That in all time coming the said circuit courts in Scotland shall be kept only once in the year, and that in the months of April or May at the several places, and in manner and form as by law established; and that in all time coming, the circuit courts formerly appointed to be kept in the month of October yearly, be superseded and cease, excepting only when it shall please her Majesty or her successors, by a proclamation to be issued in the month of July preceding, to order the said circuit courts for the October following to be kept at all or any of the places mentioned in an act of parliament of Scotland, passed in the third session of the second parliament of King Charles the Second, in which case, and not otherwise, the said October circuit shall that year be kept upon the days and at the places so appointed by the proclamation, and in the usual form of law.

The circuit courts in Scotland to be kept but once a year. And the circuit court in October shall cease, except when the crown by proclamation shall order it to be kept.

CAP. XXXIV.

An act for explaining several clauses in an act passed the last session of parliament, for the relief of the sufferers of the islands of Nevis and St. Christophers, by reason of the invasion of the French there, in the year one thousand seven hundred and five.

9 ANNÆ, c. 23.

WHEREAS in an act made in the ninth year of her Majesty's reign, intituled, An act for licensing and regulating hackney coaches and chairs; and for charging certain new duties on stamp vellum, parchment, and paper, and on cards and dice; and on the exportation of ~~suck~~ salt for Ireland; and for security thereby, and by a weekly payment out of the post office, and by several duties on hides and skins, a yearly fund of one hundred eighty six thousand six hundred and seventy pounds, for thirty two years, to be applied to the satisfaction of such orders as are therein mentioned, to the contributors of any sum, not exceeding two millions, to be raised for carrying on the war, and other her Majesty's occasions; a sum of one hundred and three thousand and three pounds, eleven shillings and four pence, is appointed to be distributed amongst the proprietors and inhabitants of the islands of Nevis and St. Christophers, who sustained great losses by a late invasion and depredation of the French, to encourage them to resettle in the said islands, in debentures to be paid and satisfied in like manner as the then unsatisfied debentures, charged upon the forfeited estates in Ireland, were to be satisfied and discharged; concerning the distribution whereof some doubts and difficulties have arisen, to the great prejudice and delay of the poor sufferers who have resettled there: for remedy and removal whereof be it enacted, &c.

None shall be entitled to a part of 103,003l. 11s. 4d. granted 9 ANNÆ, c. 23. but such of the proprietors or inhabitants of Nevis and St. Christophers as were sufferers and resettled there before 25 Dec. 1711. *This clause is confirmed 5 Geo. 1. c. 32.* What shall be deemed a resettlement. The commissioners for trade and plantation may, on proof of such resettlement, issue out, in the name of each sufferer, his executors, &c. Debentures for the third part of their losses. Sufferers not making proof of their losses before 25 Dec. 1712. shall be excluded from any share of the bounty. Sufferers may redeem their shares, if assigned, by payment of the consideration money, &c.

The End of the Twelfth VOLUME.

